

19880531

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF

TUESDAY, MAY 31, 1988

AT 9:00 A.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Chairperson Struiksma at 10:00 a.m. The meeting was recessed by Chairperson Struiksma at 12:16 p.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Chairperson Struiksma at 2:11 p.m. with Council Members Roberts, McColl, McCarty, and Mayor O'Connor not present. Mayor O'Connor adjourned the meeting at 4:12 p.m. to meet immediately in Closed Session in the twelfth floor conference room regarding pending litigation.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member McColl-excused by R-271238
(vacation)
- (4) Council Member Pratt-present
- (5) Council Member Struiksma-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present
- Clerk-Abdelnour (rb;eb)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-not present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-not present
- (3) Council Member McColl-not present
- (4) Council Member Pratt-present
- (5) Council Member Struiksma-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present

ITEM-10: INVOCATION

Invocation was given by Reverend Larry Hallett of the
Pacific Beach Christian Church.

FILE LOCATION: MINUTES

May-31-1988

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member
Wolfsheimer.

FILE LOCATION: MINUTES

May-31-1988

ITEM-30: APPROVED

Approval of Council Minutes for the Meetings of:

4/25/88

4/26/88

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A035-045.)

MOTION BY HENDERSON TO APPROVE. Second by Pratt. Passed by the
following vote: Wolfsheimer-yea, Roberts-not present,
McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea,
McCarty-yea, Filner-not present, Mayor O'Connor-not present.

ITEM-31: CONTINUED TO JULY 25, 1988

(Continued from the meetings of November 30, 1987, Item 33,
January 26, 1988, Item 310, March 8, 1988, Item 310 and
April 19, 1988, Item 330, last continued at Council Member
Struiksma's request, for further review.)

Matter of the request of Friends of Chabad Lubavitch, by
Rabbi Yonah Fradkin, for a hearing of an appeal from the
decision of the Planning Commission in denying Planned
Infill Residential Development Permit and Tentative Map
PIRD-87-0382 and TM-87-0382 (Stadium Village), proposing a
33-lot subdivision and construction of 28-single-family
detached dwelling units. The subject property
(approximately 26.78-acres) is located west and east of
Mission Village Drive between Friars Road and Ronda Avenue,
in Zones R1-5000 and R1-40000 HR, in the Serra Mesa
Community Plan area. The subject property is further
described as a portion of Lot 41 of Rancho Mission of San
Diego.

(PIRD & TM-87-0382. District-5.)

A motion granting or denying the request for a hearing of the appeal.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A058-078.)

MOTION BY HENDERSON TO CONTINUE TO JULY 25, 1988, FOR FURTHER REVIEW, AT THE REQUEST OF COUNCIL MEMBER STRUIKSMA. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-32: GRANTED HEARING

Matter of the request of Friends of Lubavitch, Inc. by Lynne Heidel, Attorney, for a hearing of an appeal from the decision of the Board of Zoning Appeals in partially granting the amendment to Case C-17798 which permitted Friends of Lubavitch, Inc. to operate a preschool and kindergarten through third grade for 80 children, Monday through Friday from 9:00 a.m. to 3:30 p.m. where such use is permitted by Conditional Use Permit only and to maintain an existing 4'-0" high fence observing a 0'-0" front yard where 3'-0" high is permitted.

The applicant requested an amendment to the above permit to (1) maintain three, temporary classroom trailers; (2) add grades four through eight, increase hours from 8:00 a.m. to 5:30 p.m. with evening and weekend school related activities and increase enrollment to maximum 300 children; (3) to construct two classroom buildings, administrative offices and assembly hall.

The subject property is located at 4905 Catoctin Drive in the R1-5000 Zone in the State University Community Plan area. The subject property for the original permit is described as Lot 9 except the Southeasterly 50', Alvarado Heights, Map-1634. The amendment would add Lot 8 to the legal description.

(Case C-17798. District-7.)

A motion granting or denying the request for a hearing of the appeal.

FILE LOCATION: ZONE - ZONING APPEALS CASE C-17798

COUNCIL ACTION: (Tape location: A079-099.)

MOTION BY McCARTY TO GRANT THE HEARING BASED ON CITY-WIDE SIGNIFICANCE OF THE ISSUE. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-not present,

McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-50: (O-88-197) ADOPTED AS ORDINANCE O-17098 (New
Series)

Establishing a Schedule of Compensation for Officers and
Employees of the City of San Diego for the Fiscal Year
1988-89.

(Introduced on 5/10/88. Council voted 7-0. Districts 1
and 3 not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A162-328.)

MOTION BY HENDERSON TO DISPENSE WITH THE READING AND ADOPT.

Second by McCarty. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea,
Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor
O'Connor-yea.

ITEM-51: (O-88-194 Rev.) ADOPTED AS ORDINANCE O-17099 (New
Series)

Amending Ordinance O-16867 (New Series), as amended,
entitled "An Ordinance Establishing a Schedule of
Compensation for Officers and Employees of the City of San
Diego for Fiscal Year 1987-88" by creating a new
classification entitled "City Architect" in the Executive
Category of the Unclassified Service in Classification
Range III, Salary Range 03.0, 03.1 and 03.2.

(Introduced on 5/9/88. Council voted 9-0.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A162-328.)

MOTION BY HENDERSON TO DISPENSE WITH THE READING AND ADOPT.

Second by Roberts. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea,
Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor
O'Connor-yea.

ITEM-52: (O-88-198) ADOPTED AS ORDINANCE O-17100 (New
Series)

Amending Ordinance O-16867 (New Series), as amended,
entitled "An Ordinance Establishing a Schedule of
Compensation for Officers and Employees of the City of San
Diego for the Fiscal Year 1987-88" to create the new

position of Committee Consultants' Secretary; exempting the position from the Classified Service; amending Exhibit C to said Ordinance to include said position; establishing a salary rate therefor.

(Introduced on 5/9/88. Council voted 9-0.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A162-328.)

MOTION BY HENDERSON TO DISPENSE WITH THE READING AND ADOPT.

Second by Struiksma. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-53: (O-88-160 Rev.1) ADOPTED AS ORDINANCE O-17101 (New Series)

Amending Chapter X, Article 1, Division 11.5, of the San Diego Municipal Code by adding Section 101.1152.1, relating to Outdoor Advertising Displays, to require the removal of billboards in residential zones, using amortization as compensation.

(Introduced on 5/10/88. Council voted 5-3. Districts 4, 5 and 6 voted nay. District 1 not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A162-328.)

MOTION BY ROBERTS TO DISPENSE WITH THE READING AND ADOPT.

Second by Struiksma. Passed by the following vote:

Wolfsheimer-not present, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-nay, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-54: (O-88-195) CONTINUED TO JUNE 6, 1988

Incorporating the "Scripps Miramar Ranch Annexation" into Council District No. 5.

(Introduced on 5/9/88. Council voted 6-2. Districts 1 and 8 voted nay. Mayor not present.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A162-328.)

MOTION BY STRUIKSMA TO CONTINUE TO JUNE 6, 1988, FOR FULL

COUNCIL. Second by Mayor O'Connor. Passed by the following

vote: Wolfsheimer-yea, Roberts-yea, McColl-not present

Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea,

Filner-yea, Mayor O'Connor-yea.

ITEM-55: (O-88-186) ADOPTED AS ORDINANCE O-17102 (New Series)

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Incorporating approximately 32 acres located on the east side of Interstate 805, north of Palm Avenue into CA Zone. (Case-86-0161. Otay Mesa Community Area. District-8. Introduced on 5/10/88. Council voted 8-0. District 1 not present.)

FILE LOCATION: ZONE ORD. NO.

COUNCIL ACTION: (Tape location: A162-328.)

MOTION BY HENDERSON TO DISPENSE WITH THE READING AND ADOPT.

Second by Struiksma. Passed by the following vote:

Wolfsheimer-not present, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-56: (O-88-155) CONTINUED TO JUNE 6, 1988

Introduction of an Ordinance amending Chapter IV, Article 2, Division 1, by repealing Section 42.0132 relating to Health Regulated Establishments - Vending Vehicles - Parking Regulated and Chapter V, Article 4, Division 1, of the San Diego Municipal Code by adding Section 54.0122, relating to Regulating Sales from Vending Vehicles and Mobile Food Units (Hot Trucks) to:

- 1) Prohibit vending from vehicles on streets or highways unless lawfully parked and with a ten-foot safety zone in front and rear;
- 2) Prohibit vending from vehicles and pushcarts on public property and sidewalks without a permit issued by the City Manager or Planning Department as appropriate;
- 3) Prohibit vending from vehicles on private property unless in conformity with zoning and land use regulations and permits;
- 4) Regulate vending from vehicles within 500 feet of a school building while school is in session.

(See City Manager Report CMR-87-516.)

COMMITTEE ACTION: Reviewed by PSS on 12/2/87. Recommendation to approve the City Manager's recommendation. Districts 2, 3 and 7 voted yea. Districts 1 and 8 not present.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A132-161.)

MOTION BY HENDERSON TO CONTINUE TO JUNE 6, 1988, AT THE REQUEST

OF COUNCIL MEMBER McCOLL ON BEHALF OF MR. SOLOMON. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-100: (R-88-1856) ADOPTED AS RESOLUTION R-271017

Awarding a contract to Casa Verde Landscape for complete landscape maintenance and complete comfort station janitorial maintenance of Carmel Del Mar School and Park for the Eastern Division of the Park and Recreation Department, as may be required for a period of one year beginning June 1, 1988 through May 31, 1989, for a total estimated cost of \$40,880, with options to renew the contract for four additional one-year periods, with price escalations not to exceed ten percent of prices in effect at the end of each contract year. (BID-9671)

FILE LOCATION: MEET CONT FY88-1

COUNCIL ACTION: (Tape location: A329-360.)

CONSENT MOTION BY STRUIKSMA TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-101: (R-88-1847) ADOPTED AS RESOLUTION R-271018

Awarding a contract to Nature Scape for furnishing complete landscape maintenance of four City parks for the Eastern Division of the Park and Recreation Department, as may be required for a period of one year beginning June 1, 1988 through May 31, 1989, for an estimated cost of \$26,400, with options to renew the contract for four additional one-year periods with annual price escalation not to exceed 15 percent of bid price. (BID-9665)

FILE LOCATION: MEET CONT FY88-1

COUNCIL ACTION: (Tape location: A329-360.)

CONSENT MOTION BY STRUIKSMA TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-102: (R-88-1849) ADOPTED AS RESOLUTION R-271019

Awarding a contract to A. B. Dick Company, for the purchase

of a fully automatic offset press, for a total cost of
\$55,455.99, including tax and trade-in. (BID-9621)
Aud. Cert. 8800990.

FILE LOCATION: MEET CONT FY88-1

COUNCIL ACTION: (Tape location: A329-360.)

CONSENT MOTION BY STRUIKSMA TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-103: (R-88-1850) ADOPTED AS RESOLUTION R-271020

Awarding contracts for the purchase of communications
equipment, as may be required for a period of 8 months
beginning June 1, 1988 through January 31, 1989, for an
estimated cost of \$560,000, including tax and terms, with
an option to renew the contracts for an additional one-year
period with price increases not to exceed 12 percent of
original contract pricing as follows:

- 1) Motorola C and E, Inc. for Items 1A, 1C, 1E, 4A, 4B, 5,
6A, 7, 8A, 8B, 9A, 10B, 11A, 12A, 12B, 12C, 12D, 12E, 14A,
15B, 16, 17, 18 19B, 20A, 21B, 22A and 23A;
- 2) General Electric Company for Items 2A, 9B, 11B, 13A,
15A, 20B, 22B and 23B;
- 3) California Mobile Communications for Items 1B, 1D, 6B,
10A, 19A and 21A;
- 4) Best Tech, Inc. for Items 3A and 3B;
- 5) King Radio Corporation for Item 2B;
- 6) County Wide Communications for Item 13B;
- 7) Panamerican Technology for Item 14B;

Authorizing the Purchasing Agent to enter into a contract
with the next low acceptable bidder if for any reason a
bidder is unable to furnish an Item contracted for.
(BID-9382)

FILE LOCATION: MEET CONT FY88-7

COUNCIL ACTION: (Tape location: A329-360.)

CONSENT MOTION BY STRUIKSMA TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-104: (R-88-1844) ADOPTED AS RESOLUTION R-271021

Awarding a contract to Moore Recreation and Park Equipment,
Inc. for the purchase and installation of concrete picnic

tables and benches, for a total cost of \$60,332.03,
including tax and terms. (BID-9571)
Aud. Cert. 8800991.

FILE LOCATION: MEET CONT FY88-1

COUNCIL ACTION: (Tape location: A329-360.)

CONSENT MOTION BY STRUIKSMA TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-105: (R-88-1857) ADOPTED AS RESOLUTION R-271022

Awarding a contract to OPS Fleet for the purchase of
automotive filters and filter elements, as may be required
for a period of one year beginning June 1, 1988 through May
31, 1989 for an estimated cost of \$30,000, including tax
and terms, with an option to renew the contract for an
additional one-year period with price increases not to
exceed 5 percent of original contract pricing. (BID-9725)

FILE LOCATION: MEET CONT FY88-1

COUNCIL ACTION: (Tape location: A329-360.)

CONSENT MOTION BY STRUIKSMA TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-106: (R-88-1848) ADOPTED AS RESOLUTION R-271023

Awarding a contract to Bayless Stationers for the purchase
of office supplies, as may be required for a period of one
year beginning July 1, 1988 through June 30, 1989, for an
estimated cost of \$221,089.40, including tax, with an
option to renew the contract for 2 additional one-year
periods with price escalation not to exceed 7 percent of
prices in effect at the end of prior year. (BID-9696)

FILE LOCATION: MEET CONT FY88-1

COUNCIL ACTION: (Tape location: A329-360.)

CONSENT MOTION BY STRUIKSMA TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-107: (R-88-1851) ADOPTED AS RESOLUTION R-271024

Awarding a contract to Joseph Hohe Enterprises, Inc. for

furnishing security services at the City Administration Building and the City Operations Building, as may be required for a period of one year beginning July 1, 1988 through June 30, 1989, for an estimated cost of \$79,000, with options to renew the contract for four additional one-year periods, with price escalation not to exceed 10 percent of price in effect at the end of prior year.
(BID-9672)

FILE LOCATION: MEET CONT FY88-1

COUNCIL ACTION: (Tape location: A329-360.)

CONSENT MOTION BY STRUIKSMA TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-108: (R-88-1855) ADOPTED AS RESOLUTION R-271025

Awarding a contract to Prudential Overall Supply, for furnishing the Street Division with uniform service, as may be required for a period of one year beginning July 1, 1988 through June 30, 1989, for an estimated cost of \$23,763.08, with options to renew the contract for three additional one-year periods with price escalation not to exceed 3 percent of prices in effect at the end of the initial year.
(BID-9697)

FILE LOCATION: MEET CONT FY88-1

COUNCIL ACTION: (Tape location: A329-360.)

CONSENT MOTION BY STRUIKSMA TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-109: (R-88-1853) ADOPTED AS RESOLUTION R-271026

Awarding a contract to South Bay Fence Inc. for the purchase of fence materials, for a total cost of \$81,212.42, including tax and terms. (BID-9715)
Aud. Cert. 8800999.

FILE LOCATION: MEET CONT FY88-1

COUNCIL ACTION: (Tape location: A329-360.)

CONSENT MOTION BY STRUIKSMA TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-110: (R-88-1852) ADOPTED AS RESOLUTION R-271027

Awarding a contract to Fisher Scientific for furnishing laboratory glassware, laboratory chemicals and miscellaneous laboratory supplies, as may be required for a period of one year beginning July 1, 1988 through June 30, 1989, for an estimated cost of \$106,500, including tax, with an option to renew the contract for four additional one-year periods. (BID-9569)

FILE LOCATION: MEET CONT FY88-1

COUNCIL ACTION: (Tape location: A329-360.)

CONSENT MOTION BY STRUIKSMA TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-111: (R-88-1854) ADOPTED AS RESOLUTION R-271028

Inviting bids for the Improvement of City-wide Alleys and Sewer Replacement, Contract No. 1 on Work Order No. 122417; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of funds not to exceed \$1,034,000 (\$760,000 from Gas Tax Fund 30219, CIP-52-379, City Wide Alley Projects and \$274,000 from Fund 41506, CIP-44-001, Annual Allocation - Main Replacements) for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-9764)

CITY MANAGER SUPPORTING INFORMATION: The Fiscal Year 1987 Capital Improvements Program identifies this project to reconstruct existing alleys throughout the City. Funds are provided by Gas Tax and Annual Allocation for Sewer Main Replacements. The project replaces broken concrete in alleys that have become chronic maintenance problems, and replaces the sewer where necessary. The proposed project will improve the following alleys:

Project	Limits	Facility
East of Eades Avenue	Kline Street to Pearl Street	Alley and Sewer
East of La Jolla Blvd.	Pearl Street to 410 feet south of Pearl Street	Alley and Sewer
East of Van Dyke Avenue	Polk Ave. to University Ave.	Alley and Sewer

East of Cherokee Avenue	University Ave. to Polk Ave.	Alley
East of 36th Street	Orange Ave. to El Cajon Blvd.	Alley
North of Commercial Avenue	24th Street to 25th Street	Alley
North of C Street	25th Street to 26th Street	Alley and Sewer
East of Cherokee Avenue	Orange Ave. to Polk Avenue	Alley
East of Van Dyke Avenue	Orange Ave. to Polk Ave.	Alley
North of Mary Lane Drive	55th Street to 800 ft. East	Alley
East of Longford Street	Clairemont Mesa Blvd. South	Alley

Aud. Cert. 8800983.
WU-E-88-127.

FILE LOCATION: W.O. 122417 CONT FY88-1

COUNCIL ACTION: (Tape location: A329-360.)

CONSENT MOTION BY STRUIKSMA TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-112:

Two actions relative to West Miramar Solid Waste Disposal Facility Phase I - Contract 6:
(Mira Mesa Community Area. District-5.)

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Subitem-A: (R-88-1845) ADOPTED AS RESOLUTION R-271029

Inviting bids for the Construction of West Miramar Solid Waste Disposal Facility Phase 1 - Contract 6 on Work Order No. 119165; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of funds not to exceed \$602,500 from Capital Outlay Fund 30245, CIP-37-055.4, West Miramar Solid Waste Facility - Phase I, for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-9749)

Subitem-B: (R-88-1846) ADOPTED AS RESOLUTION R-271030

Certifying that the information contained in Environmental Impact Report EIR-80-09-31, issued in connection with the Construction of West Miramar Solid Waste Disposal Facility Phase 1 - Contract 6, has been completed in compliance with the California Environmental Quality Act of 1970, and State guidelines, and that said Declaration has been reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION: This project provides for the continuing development of West Miramar Landfill - Phase 1. The proposed work includes excavation and stockpiling of 300,000 cubic yards of material as a final cover for Modules 1 and 2, all in support of the West Miramar Solid Waste Disposal Facility. Final cover is required by permits with the California Waste Management Board and Regional Water Quality Control Board.

Aud. Cert. 8800921.

FILE LOCATION: W.O. 119165 CONT - D & M Grading Co.
CONTFY88-1

COUNCIL ACTION: (Tape location: A329-360.)

CONSENT MOTION BY STRUIKSMA TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-113: (R-88-2343) ADOPTED AS RESOLUTION R-271031

Inviting bids for the furnishing of twenty-two ballistic raid jackets; authorizing the execution of a contract with the lowest responsive and reliable bidder; authorizing the expenditure of an amount not to exceed \$14,058 from Fund 10132, Seized and Forfeited Assets, Organization No. 200, Object Account 3274 for said purpose.

CITY MANAGER SUPPORTING INFORMATION: The Police Department Narcotics Task Force needs twenty-two ballistic raid jackets.

At the present time, five members of the Task Force are without vests. Also, seven of the existing raid jackets are no longer in adequate repair. These jackets are seven years old and are showing signs of severe wear. The remaining ten jackets do not meet the Level III standards currently utilized by the Police Department for determining what raid jackets will be purchased as safety items. These jackets are essential safety equipment. It is imperative that safety standards be maintained, especially under circumstances where Narcotics Officers are forcing entries and may be confronted by armed suspects.

Aud. Cert. 8800844.

FILE LOCATION: MEET CONT FY88-1

COUNCIL ACTION: (Tape location: A329-360.)

CONSENT MOTION BY STRUIKSMA TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-114:

Three actions relative to the final subdivision map of
Mirador Park Unit No. 3, a 60 lot subdivision located
northwesterly of Calle Cristobal and Camino Ruiz:
(Mira Mesa Community Area. District-5.)

Subitem-A: (R-88-2323) ADOPTED AS RESOLUTION R-271032

Authorizing the execution of a Subdivision Improvement
Agreement with The Fieldstone Company for the installation
and completion of certain public improvements in the
subdivision to be known as Mirador Park Unit No. 3.

Subitem-B: (R-88-2322) ADOPTED AS RESOLUTION R-271033

Approving the final map.

Subitem-C: (R-88-2324) ADOPTED AS RESOLUTION R-271034

Approving the acceptance by the City Manager of a grant
deed of The Fieldstone Company granting to the City Lot 60
of Mirador Park Unit No. 3.

FILE LOCATION: SUBITEMS A&B: SUBD, MIRADOR PARK UNIT NO.
3; SUBITEM C: DEED F-4465 CONT
FY88-1, DEED FY88-1

COUNCIL ACTION: (Tape location: A329-360.)

CONSENT MOTION BY STRUIKSMA TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-115: (R-88-2320) ADOPTED AS RESOLUTION R-271035

Authorizing the City Manager to release a portion of the
surety issued by Insurance Company of the West for Carmel
Valley Neighborhood 1, Unit No. 2, in the form of
Performance Bond No. 13-83-22, so that the same is reduced
as follows:

1. For faithful performance, to the sum of \$272,269;
2. For the benefit of the contractor, subcontractor and to

persons renting equipment or furnishing labor or materials, to the sum of \$136,134.50.

(North City West Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: On October 13, 1986, the City entered into an agreement with Baldwin Building Company, for the construction of public improvements for Carmel Valley Neighborhood 1 Unit 2. Performance Bond No. 13-83-22, issued by Insurance Company of the West, in the amount of \$1,000,267, was provided by the subdivider. The agreement expires October 13, 1988. Ninety-seven percent of the work has been completed to the satisfaction of the City Engineer; the work remaining includes sidewalk and landscaping. The subdivider has now requested a partial release of surety. The job order account has sufficient funds to cover anticipated future costs to the City. There are no mechanic's liens filed against the surety and there has not been a previous partial release. In accordance with Council Policy 800-11, it is recommended that the surety be reduced by an amount which is 75 percent of the value of the work completed. Therefore, \$727,998 of the original surety will be released which will reduce the surety to \$272,269.

FILE LOCATION: SUBD, CARMEL VALLEY NEIGHBORHOOD 1, UNIT NO.

2

COUNCIL ACTION: (Tape location: A329-360.)

CONSENT MOTION BY STRUIKSMA TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-116: (R-88-2321) ADOPTED AS RESOLUTION R-271036

Authorizing the City Manager to release a portion of the surety issued by Insurance Company of the West for Carmel Valley Units 5, 6 and 7, in the form of Performance Bond Nos. 13-64-67 and 13-64-68, so that the same is reduced as follows:

1. For faithful performance, to the sum of \$856,172 and to the sum of \$177,098;
2. For the benefit of the contractor, subcontractor and to persons renting equipment or furnishing labor or materials, to the sum of \$428,086 and to the sum of \$88,589.

(North City West Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: On June 16, 1986, the City entered into an agreement with the Baldwin Company, for the

construction of public improvements for Carmel Valley Units 4, 6 and 7. Performance Bond No. 13-64-67 and 13-64-68, issued by Insurance Company of the West, in the amounts of \$2,761,845 and \$571,282 respectively, were provided by the subdivider. The agreement expires June 16, 1988. Ninety-two percent of the work has been completed to the satisfaction of the City Engineer, and the subdivider has requested a partial release of surety. The job order account has sufficient funds to cover anticipated future costs to the City. There are no mechanic's liens filed against the surety and there has not been a previous partial release. In accordance with Council Policy 800-11, it is recommended that the surety be reduced by an amount which is 75 percent of the value of the work completed. Therefore, \$2,299,857 of the original sureties will be released which will reduce the sureties to \$1,033,270.

FILE LOCATION: SUBD, CARMEL VALLEY UNITS 5, 6, AND 7

COUNCIL ACTION: (Tape location: A329-360.)

CONSENT MOTION BY STRUIKSMA TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-117:

Two actions relative to the Convoy Street (Othello Avenue to Ronson Road) Underground Utility District:
(Serra Mesa Community Area. District-5.)

Subitem-A: (R-88-2340) ADOPTED AS RESOLUTION R-271037

Designating July 9, 1988 as the date upon which all property in the Convoy Street (Othello Avenue to Ronson Road) Underground Utility District must be ready to receive underground service and August 9, 1988 as the date for the removal of all overhead utility facilities.

Subitem-B: (R-88-2341) ADOPTED AS RESOLUTION R-271038

Authorizing the City Auditor and Comptroller to open Fund No. 78025 for the purpose of depositing Public Utilities Commission Case 8209 Utility Undergrounding Allocation funds for the Convoy Street (Othello Avenue to Ronson Road) Underground Utility District; authorizing the City Treasurer to receive these funds from the San Diego Gas and Electric Company; authorizing payment to all property owners in the Convoy Street (Othello Avenue to Ronson Road) Underground Utility District as reimbursement for

electrical service underground conversion work done on private property whenever the required length of trenching exceeds 15 feet; authorizing the City Auditor and Comptroller to return to SDG&E any undisbursed funds upon written notice that all electric service conversions within a particular district have been completed.

CITY MANAGER SUPPORTING INFORMATION: The Convoy Street (Othello Avenue to Ronson Road) Underground Utility District was created by the City Council on November 26, 1985. The Resolution creating the District left the matter of the actual dates for converting services and removing overhead facilities to be established later. This action will set July 9, 1988 as the Customer Ready Date, which will require that, upon this date, all affected customers within the Underground Utility District must have their services prepared to receive service from the new underground system. This action will also establish August 9, 1988 as the Pole Removal Date, which will require that, upon this date, all overhead facilities within the Underground Utility District must be removed. The utility companies concur with these proposed dates. Council Policy 800-2 provides for the use of California Public Utilities Commission Case 8209 funds to assist in financing the conversion of private electric service laterals in all underground utility districts. Funding consists of a lump-sum reimbursement based upon the length of the electrical service trench. The property owner remains responsible for all remaining conversion costs.

FILE LOCATION: STRT K-152

COUNCIL ACTION: (Tape location: A329-360.)

CONSENT MOTION BY STRUIKSMA TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* **ITEM-118:**

Two actions relative to the Park Boulevard (University Avenue to El Cajon Boulevard) Underground Utility District: (Park North-East Community Area. District-3.)

Subitem-A: (R-88-2172) ADOPTED AS RESOLUTION R-271039
Designating July 11, 1988 as the date upon which all property in the Park Boulevard (University Avenue to El Cajon Boulevard) Underground Utility District must be ready to receive underground service and September 1, 1988 as the date for the removal of all overhead utility facilities.

Subitem-B: (R-88-2173) ADOPTED AS RESOLUTION R-271040

Authorizing the City Auditor and Comptroller to open Fund No. 78026 for the purpose of depositing Public Utilities Commission Case 8209 Utility Undergrounding Allocation Funds for the Park Boulevard (University Avenue to El Cajon Boulevard) Underground Utility District; authorizing the City Treasurer to receive these funds from the San Diego Gas and Electric Company (SDG&E); authorizing payment to all property owners in the Park Boulevard (University Avenue to El Cajon Boulevard) Underground Utility District as reimbursement for electrical service underground conversion work done on private property whenever the required length of trenching exceeds 15 feet; authorizing the City Auditor and Comptroller to return to SDG&E any undisbursed funds upon written notice that all electric service conversions within a particular district have been completed.

CITY MANAGER SUPPORTING INFORMATION: The Park Boulevard (University Avenue to El Cajon Boulevard) Underground Utility District was created by the City Council on May 6, 1986. The Resolution creating the District left the matter of the actual dates for converting services and removing overhead facilities to be established later. This action will set July 11, 1988 as the Customer Ready Date, which will require that, upon this date, all affected customers within the Underground Utility District must have their services prepared to receive service from the new underground system. This action will also establish September 1, 1988 as the Pole Removal Date, which will require that, upon this date, all overhead facilities within the Underground Utility District must be removed. The utility companies concur with these proposed dates. Council Policy 800-2 provides for the use of California Public Utilities Commission Case 8209 funds to assist in financing the conversion of private electric service laterals in all underground utility districts. Funding consists of a lump-sum reimbursement based upon the length of the electrical service trench. The property owner remains responsible for all remaining conversion costs.

FILE LOCATION: STRT K-159

COUNCIL ACTION: (Tape location: A329-360.)

CONSENT MOTION BY STRUIKSMA TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-119: CONTINUED TO JUNE 13, 1988

Two actions relative to the Calle Cristobal Landscape and Lighting Maintenance District:
(Mira Mesa Community Area. District-5.)

Subitem-A: (R-88-2278)

Resolution of Intention to levy and collect assessment on the Calle Cristobal Landscape and Lighting Maintenance District.

Subitem-B: (R-88-2279)

Approving the City Engineer's Report submitted in connection with the Calle Cristobal Landscape and Lighting Maintenance District.

CITY MANAGER SUPPORTING INFORMATION: The Calle Cristobal Landscape and Lighting Maintenance District will provide maintenance of landscaped medians, streetscapes and the street side of the sound attenuator wall along Calle Cristobal within the district boundaries. The public hearing establishes the assessments for the district for Fiscal Year 1989. The Fiscal Year 1989 proposed maintenance cost for the district are as follows:

Contractual Maintenance	\$41,000
Personnel	7,568
Utilities	9,500
Incidentals	9,104
Total Expenses	\$67,172
Reserve	7,095
Total	\$74,267
Less Carry-over & Interest	2,700
Less City Contribution	5,450
Assessed to District	\$66,117

The proposed unit assessment for Fiscal Year 1989 is approximately \$21 compared to \$2 for Fiscal Year 1988. The increase in the assessment is due to the following:

1. The assessments for Fiscal Year 1988 were for the last three months of that fiscal year. The assessments for Fiscal Year 1989 are for a full twelve-month period.
2. The district has taken over the maintenance of additional landscaped medians and streetscapes from the developer for Fiscal Year 1989.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A100-131.)

MOTION BY HENDERSON TO CONTINUE TO JUNE 13, 1988, AT THE CITY MANAGER'S REQUEST, IN ORDER TO RECEIVE BUDGET REPORT FROM FINANCIAL MANAGEMENT. Second by McCarty. Passed by the

following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksmayea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-120: CONTINUED TO JUNE 13, 1988

Two actions relative to the Eastgate Technology Park
Landscape Maintenance District:
(University Community Area. District-1.)

Subitem-A: (R-88-2273)

Resolution of Intention to levy and collect assessment on
the Eastgate Technology Park Landscape Maintenance
District.

Subitem-B: (R-88-2274)

Approving the City Engineer's Report submitted in
connection with the Eastgate Technology Park Landscape
Maintenance District.

CITY MANAGER SUPPORTING INFORMATION: The public hearing
establishes the assessments for the maintenance of medians,
streetscapes and open space in the Eastgate Technology Park
Landscape Maintenance District for Fiscal Year 1989. The
proposed maintenance costs for the district for Fiscal Year 1989
are as follows:

Contractual Maintenance	
(Medians, streetscapes & open space)	\$ 59,894
Personnel	5,675
Water and Electricity	25,250
Incidentals	9,933
Total Expense	\$100,752
Reserve	30,226
Total	\$130,978
Less Carry-over & Interest	48,500
Less City Contribution	3,438
Assessed to District	\$ 79,040

Assessments are based on the net pad sizes of the lots within
the district which for Fiscal Year 1989 corresponds to
approximately \$650 per net pad acre compared to \$1,000 per net
pad acre for the 1988 Fiscal Year. The lower unit assessment
per net pad acre is due to the higher carry-over amount from
Fiscal Year 1988 to Fiscal Year 1989. The previous carry-over
amount was \$4,500. The City currently owns all except one of
the parcels in the district and will fund parcel assessments
until each is sold.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A100-131.)

MOTION BY HENDERSON TO CONTINUE TO JUNE 13, 1988, AT THE CITY MANAGER'S REQUEST, IN ORDER TO RECEIVE BUDGET REPORT FROM FINANCIAL MANAGEMENT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksmay-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-121: CONTINUED TO JUNE 13, 1988

Two actions relative to the Gaslamp Quarter Landscape and Lighting Maintenance District:
(Centre City Community Area. District-8.)

Subitem-A: (R-88-2281)

Resolution of Intention to levy and collect assessment on the Gaslamp Quarter Landscape and Lighting Maintenance District.

Subitem-B: (R-88-2282)

Approving the City Engineer's Report submitted in connection with the Gaslamp Quarter Landscape and Lighting Maintenance District.

CITY MANAGER SUPPORTING INFORMATION: The public hearing establishes the annual assessments for the Gaslamp Quarter Landscape and Lighting Maintenance District. The Fiscal Year 1989 proposed district costs are as follows:

Contractual Maintenance	\$ 79,226
Personnel	173,761
Utilities	60,000
Incidentals	62,512
Total Expenses	\$375,499
Reserve	46,238
Total	\$421,737
Less Carry-over & Interest	141,000
Less City Contribution	13,100
Assessed to District	\$267,637

The annual assessment for Fiscal Year 1989 will be \$267,637, as compared to \$261,586 for Fiscal Year 1988. The proposed assessment reflects the transfer of the landscaping and cleaning functions to City Forces. This conversion is in response to dissatisfaction with the performance of present and past contractors. The private full service tree maintenance contract will be continued.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A100-131.)

MOTION BY HENDERSON TO CONTINUE TO JUNE 13, 1988, AT THE CITY MANAGER'S REQUEST, IN ORDER TO RECEIVE BUDGET REPORT FROM FINANCIAL MANAGEMENT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksmay-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present .

ITEM-122: CONTINUED TO JUNE 13, 1988

Two actions relative to the Gateway Center East Landscape Maintenance District:
(Southeast San Diego Community Area. District-4.)

Subitem-A: (R-88-2209)

Resolution of Intention to levy and collect assessment on the Gateway Center East Landscape Maintenance District.

Subitem-B: (R-88-2210)

Approving the City Engineer's Report submitted in connection with the Gateway Center East Landscape Maintenance District.

CITY MANAGER SUPPORTING INFORMATION: Gateway Center East is an industrial park project under development by the Southeast Economic Development Corporation, located east of I-15 and north of Market Street. Landscaping for the project consists of landscaped open space easements on the slopes facing I-15 and S.R. 94, as well as landscaping along the frontage of all lots and medians on Market Street and Gateway Center Drive. The district will provide maintenance of open space, medians, and landscaped easements within the district. The estimated maintenance costs for the district for Fiscal Year 1989 are as follows:

Contractual Maintenance	\$53,609
Personnel	7,568
Utilities	18,500
Incidentals	10,235
Total Expenses	\$89,912
Reserve	31,775
Total	\$121,687
Less Carry-over & Interest	46,250
Less City Contribution	750
Assessed to District	\$74,687

The average assessment amount per building pad acre for Fiscal

Year 1989 is approximately \$2,000 compared to \$3,300 for Fiscal Year 1988. The reduction in the assessment is due to the carry-over of \$46,250 from the previous Fiscal Year.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A100-131.)

MOTION BY HENDERSON TO CONTINUE TO JUNE 13, 1988, AT THE CITY MANAGER'S REQUEST, IN ORDER TO RECEIVE BUDGET REPORT FROM FINANCIAL MANAGEMENT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksmay-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-123: CONTINUED TO JUNE 13, 1988

Two actions relative to the Mira Mesa Landscape Maintenance District:
(Mira Mesa Community Area. District-5.)

Subitem-A: (R-88-2270)

Resolution of Intention to levy and collect assessment on the Mira Mesa Landscape Maintenance District.

Subitem-B: (R-88-2271)

Approving the City Engineer's Report submitted in connection with the Mira Mesa Landscape Maintenance District.

CITY MANAGER SUPPORTING INFORMATION: The public hearing establishes the annual assessment for the Mira Mesa Landscape Maintenance District. The district provides for the maintenance of landscaped and paved medians within the community. The Fiscal Year 1989 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$58,870
Personnel	9,461
Water and Electric Service	250
Incidentals	13,264
Total Expenses	\$81,845
Reserve	8,900
Total	\$90,745
Less Carry-over & Interest	29,000
Less City Contribution	19,767
Assessed to District	\$41,978

The assessment amount per unit for Fiscal Year 1989 is \$1.95, compared to \$2.10 for Fiscal Year 1988. The assessment base of the district has been expanded this fiscal year to include

residential units between Parkdale Avenue and Camino Santa Fe.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A100-131.)

MOTION BY HENDERSON TO CONTINUE TO JUNE 13, 1988, AT THE CITY MANAGER'S REQUEST, IN ORDER TO RECEIVE BUDGET REPORT FROM FINANCIAL MANAGEMENT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksmayea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-124: CONTINUED TO JUNE 13, 1988

Two actions relative to the North City West Landscape and Lighting Maintenance District:
(North City West Community Area. District-1.)

Subitem-A: (R-88-2212)

Resolution of Intention to levy and collect assessment on the North City West Landscape and Lighting Maintenance District.

Subitem-B: (R-88-2213)

Approving the City Engineer's Report submitted in connection with the North City West Landscape and Lighting Maintenance District.

CITY MANAGER SUPPORTING INFORMATION: The public hearing establishes the annual assessments for the North City West Landscape and Lighting Maintenance District. The district provides maintenance for approximately 210 acres of open space in addition to medians, streetscapes, and slopes within the area designated as Neighborhood 5 (Zone A). The Fiscal Year 1989 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$135,000
Personnel	37,622
Utilities	35,500
Incidentals	32,390
Total Expenses	\$240,512
Reserve	22,932
Total	\$263,444
Less Carry-over & Interest	46,000
Less City Contribution	20,916
Assessed to District	\$196,528

A total of \$54,221 was assessed to the district last year in anticipation that maintenance operations will start during the later portion of Fiscal Year 1988. However, no maintenance was

performed in Fiscal Year 1988, and the revenues have been carried over to Fiscal Year 1989. The proposed unit assessment for Fiscal Year 1989 for open space maintenance will be approximately \$6. In addition, the units within Zone A are proposed to be assessed approximately \$98 per unit for median landscaping and slope maintenance.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A100-131.)

MOTION BY HENDERSON TO CONTINUE TO JUNE 13, 1988, AT THE CITY MANAGER'S REQUEST, IN ORDER TO RECEIVE BUDGET REPORT FROM FINANCIAL MANAGEMENT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-125: CONTINUED TO JUNE 13, 1988

Two actions relative to the Park Village Landscape Maintenance District:
(Penasquitos East Community Area. District-1.)

Subitem-A: (R-88-2215)

Resolution of Intention to levy and collect assessment on the Park Village Landscape Maintenance District.

Subitem-B: (R-88-2216)

Approving the City Engineer's Report submitted in connection with the Park Village Landscape Maintenance District.

CITY MANAGER SUPPORTING INFORMATION: The public hearing establishes the assessments for the maintenance of landscaped medians and slopes in the Park Village Landscape Maintenance District for the Fiscal Year 1989. The developer of the subdivision will continue to provide all necessary maintenance for the landscaped areas until they are turned over to and accepted by the district. The proposed maintenance costs for the landscaped areas to be maintained by the district during the Fiscal Year 1989 are as follows:

Contractual Maintenance	
(Medians & slopes)	\$46,725
Personnel	5,675
Utilities	6,250
Incidentals	9,682
Total Expense	\$68,332
Reserve	7,117

Total	\$75,449
Less Carry-over & Interest	300
Less City Contribution	7,482
Assessed to District	\$67,667

Assessments for the Fiscal Year 1989 correspond to approximately \$22 per dwelling unit compared to \$7 for Fiscal Year 1988. The increase in the assessment this fiscal year is due to the fact that total square footage and acres to be maintained by the district were substantially underestimated in Fiscal Year 1988. The assessments in the next and following fiscal years are expected to remain at or close to the Fiscal Year 1989 level.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A100-131.)

MOTION BY HENDERSON TO CONTINUE TO JUNE 13, 1988, AT THE CITY MANAGER'S REQUEST, IN ORDER TO RECEIVE BUDGET REPORT FROM FINANCIAL MANAGEMENT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksmay-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-126: CONTINUED TO JUNE 13, 1988

Two actions relative to the Penasquitos East Landscape Maintenance District:
(Penasquitos East Community Area. District-1.)

Subitem-A: (R-88-2284)

Resolution of Intention to levy and collect assessment on the Penasquitos East Landscape Maintenance District.

Subitem-B: (R-88-2285)

Approving the City Engineer's Report submitted in connection with the Penasquitos East Landscape Maintenance District.

CITY MANAGER SUPPORTING INFORMATION: The public hearing establishes the annual assessment for the Penasquitos East Landscape Maintenance District. The district provides for the maintenance of landscaped medians and open space within the district. The Fiscal Year 1989 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$35,500
Personnel	9,461
Utilities	11,450
Incidentals	12,164
Total Expenses	\$68,575

Reserve	11,088
Total	\$79,663
Less Carry-over & Interest	11,100
Less City Contribution	11,004
Assessed to District	\$57,559

The annual assessment for Fiscal Year 1989 will be approximately \$5 per unit, compared to \$4.60 for Fiscal year 1988. The increase is due to increases in the contractual maintenance costs.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A100-131.)

MOTION BY HENDERSON TO CONTINUE TO JUNE 13, 1988, AT THE CITY MANAGER'S REQUEST, IN ORDER TO RECEIVE BUDGET REPORT FROM FINANCIAL MANAGEMENT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksmay-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-127: CONTINUED TO JUNE 13, 1988

Two actions relative to the Rancho Bernardo Landscape Maintenance District:
(Rancho Bernardo Community Area. District-1.)

Subitem-A: (R-88-2287)

Resolution of Intention to levy and collect assessment on the Rancho Bernardo Landscape Maintenance District.

Subitem-B: (R-88-2288)

Approving the City Engineer's Report submitted in connection with the Rancho Bernardo Landscape Maintenance District.

CITY MANAGER SUPPORTING INFORMATION: The public hearing establishes the annual assessment for the Rancho Bernardo Landscape Maintenance District. The district provides landscape maintenance of streetscapes. The Fiscal Year 1989 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$ 74,045
Personnel	9,461
Utilities	13,055
Incidentals	11,466
Total Expenses	\$108,027
Reserve	59,276
Total	\$167,303
Less Carry-over & Interest	69,000

Less City Contribution 11,021
Assessed to District \$ 87,282

The annual assessment for Fiscal Year 1989 will be approximately \$8 per dwelling unit, as compared to \$8.30 for Fiscal Year 1988.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A100-131.)

MOTION BY HENDERSON TO CONTINUE TO JUNE 13, 1988, AT THE CITY MANAGER'S REQUEST, IN ORDER TO RECEIVE BUDGET REPORT FROM FINANCIAL MANAGEMENT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksmma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-128: CONTINUED TO JUNE 13, 1988

Three actions relative to the San Ysidro Boulevard
Landscape Maintenance District:
(San Ysidro Community Area. District-8.)

Subitem-A: (R-88-2250)

Initiating proceedings for the formation of the San Ysidro Boulevard Landscape Maintenance District.

Subitem-B: (R-88-2251)

Resolution of Intention to levy and collect assessment on the San Ysidro Boulevard Landscape Maintenance District.

Subitem-C: (R-88-2252)

Approving the City Engineer's Report submitted in connection with the San Ysidro Boulevard Landscape Maintenance District.

CITY MANAGER SUPPORTING INFORMATION: San Ysidro Boulevard Landscape Maintenance District is located on San Ysidro Boulevard between I-805 and Via de San Ysidro. The street widening and improvements are currently under construction and are expected to be completed by February 1989. The improvements consist of landscaping, decorative pavement, and decorative sidewalk and street amenities such as bollards, benches and above-grade planters. The proposed district will provide the necessary maintenance to the improvements. The public hearing will establish the district and levy assessments for the last four months of Fiscal Year 1989. The estimated maintenance costs for the district for the last four months of Fiscal year 1989 are as follows:

Contractual Maintenance \$ 4,334

Personnel	2,523
Utilities	683
Incidentals	2,767
Total Expenses	\$10,307
Reserve	1,157
Total	\$11,464

The estimated average assessment for Fiscal Year 1989 is approximately \$440 per parcel.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A100-131.)

MOTION BY HENDERSON TO CONTINUE TO JUNE 13, 1988, AT THE CITY MANAGER'S REQUEST, IN ORDER TO RECEIVE BUDGET REPORT FROM FINANCIAL MANAGEMENT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-129: CONTINUED JUNE 13, 1988

Two actions relative to the Scripps-Miramar Ranch Landscape and Lighting Maintenance District:
(Scripps-Miramar Ranch Community Area. District-5.)

Subitem-A: (R-88-2294)

Resolution of Intention to levy and collect assessment on the Scripps-Miramar Ranch Landscape and Lighting Maintenance District.

Subitem-B: (R-88-2295)

Approving the City Engineer's Report submitted in connection with the Scripps-Miramar Ranch Landscape and Lighting Maintenance District.

CITY MANAGER SUPPORTING INFORMATION: The public hearing establishes the annual assessment for Scripps-Miramar Ranch Landscape and Lighting Maintenance District. The district provides landscape maintenance for open space and center islands, and maintenance for street light standards. The Fiscal Year 1989 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$146,041
Personnel	28,381
Utilities	35,161
Incidentals	20,391
Total Expenses	\$229,974
Reserve	49,457

Total	\$279,431
Less Carry-over & Interest	105,000
Less City Contribution	11,752
Assessed to District	\$162,679

The proposed unit assessment for Fiscal Year 1989 will remain approximately \$32, and it was for the previous Fiscal Year 1988.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A100-131.)

MOTION BY HENDERSON TO CONTINUE TO JUNE 13, 1988, AT THE CITY MANAGER'S REQUEST, IN ORDER TO RECEIVE BUDGET REPORT FROM FINANCIAL MANAGEMENT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-130: (R-88-2074) ADOPTED AS RESOLUTION R-271041

Appointing the following persons to serve as members of the San Ysidro Development Committee to represent Organizations and Groups as indicated:

NAME	ORGANIZATION/GROUP
Paul Devermann	San Diego Economic Development Corporation
Art Goodman	San Diego County Community Development Corporation
Tony Gomez	San Ysidro Chamber of Commerce
Alberto Perez	San Ysidro Adelante Committee
Michael Freedman	San Ysidro Planning Committee
Sister Nora Murphy	Community at Large
Manuel Paul	District 8 Nominations
Bob Colvin	
Terry Trujillo	

(San Ysidro Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: On January 4, 1988, the City Council approved the establishment of a steering committee to determine the appropriateness and assist in the formation of a development corporation in San Ysidro. The steering committee was to be established as a committee of the City Council in accordance with Section 43(b) of the City Charter with membership from certain groups as stipulated in the Council Resolution R-270048 of January 4, 1988. This action would confirm the above individuals to the steering committee.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A329-360.)

CONSENT MOTION BY STRUIKSMA TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-131: (R-88-2305) ADOPTED AS RESOLUTION R-271015

Approving the acceptance by the City Manager of a grant deed of Otay International Center, conveying to the City a fee interest in a strip of land 150 feet wide adjacent to the U.S.-Mexican border.

(Otay Mesa Community Area. District-8.)

FILE LOCATION: DEED F-4466 DEED FY88-1

COUNCIL ACTION: (Tape location: A329-360.)

CONSENT MOTION BY STRUIKSMA TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-132: (R-88-2306) ADOPTED AS RESOLUTION R-271042

Approving the acceptance by the City Manager of that street easement deed of American Newland Associates, granting to the City a portion of Parcel 2 of Parcel Map PM-12296; dedicating said land as and for a public street, and naming the same Babuata Road.

(Mira Mesa Community Area. District-5.)

FILE LOCATION: DEED F-4467 DEED FY88-1

COUNCIL ACTION: (Tape location: A329-360.)

CONSENT MOTION BY STRUIKSMA TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-133: (R-88-2262) ADOPTED AS RESOLUTION R-271043

Authorizing the sale by negotiation of a drainage easement in Lot 13 of Otay International Center Lot 5 Subdivision for the processing fee to Otay Mesa Acquisition and Development, Ltd; authorizing the execution of a quitclaim deed, quitclaiming to Otay Mesa Acquisition and Development, Ltd. said easement; declaring that no broker's commission shall be paid by the City on said negotiated sale.

(Otay Mesa Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: Owners of Otay

International Center have requested the vacation of a drainage easement which the City of San Diego acquired by donation in 1987. The Engineering and Development Department has confirmed that further grading and development of the land has eliminated the need for a storm drain at this location. It is therefore recommended to Council that the issuance of a Quitclaim Deed to the owners be authorized.

FILE LOCATION: DEED F-4468 DEED FY88-1

COUNCIL ACTION: (Tape location: A329-360.)

CONSENT MOTION BY STRUIKSMA TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-134: (R-88-2257) ADOPTED AS RESOLUTION R-271044

Vacating the City's interest in an unneeded water easement affecting Lot 6 of Loma Verde Acres, Map-3058, pursuant to Section 8300 et seq. of the Streets and Highways Code.
(Rancho Santa Fe Community Area.)

CITY MANAGER SUPPORTING INFORMATION: The Engineering and Development Department has received an application for the abandonment of a 30-foot wide water easement that encumbers Lot 6 of Loma Verde Acres. This is a portion of an easement for a pipeline that the City of San Diego acquired at no cost in 1953. Construction never took place and the Water Utilities Department has no objection to removal of the encumbrance which lies outside the City limits in Rancho Santa Fe. The Engineering and Development and Property Departments recommend that a Resolution of Abandonment be adopted by the City Council.

WU-PR-88-133.

FILE LOCATION: DEED F-4469 DEED FY88-1

COUNCIL ACTION: (Tape location: A329-360.)

CONSENT MOTION BY STRUIKSMA TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-135: (R-88-2193) ADOPTED AS RESOLUTION R-271045

Approving City Manager Report CMR-88-156 and authorizing the City Manager to modify the golf course fee schedule to allow monthly tickets purchased for Torrey Pines Golf Course to be used at both Torrey Pines and Balboa Park Golf Courses.

(See City Manager Report CMR-88-156. Torrey Pines and Balboa Park Community Areas. Districts-1 and 8.)

COMMITTEE ACTION: Reviewed by PFR on 3/23/88. Recommendation to adopt the City Manager's recommendation. Districts 1, 5, 6, 7 and 8 voted yea.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A329-360.)

CONSENT MOTION BY STRUIKSMA TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-136: (R-88-2087) ADOPTED AS RESOLUTION R-271046

Authorizing the City Manager to accept the "Problem-Oriented Approach to Drug Abuse" grant from the Bureau of Justice Assistance; authorizing the execution of the Grant Award for anti-drug abuse purposes, including any extensions or amendments, as awarded to the City; declaring that the City shall comply with all provisions required for the project, under the Anti-Drug Abuse Program and the rules and regulations of the Bureau of Justice Assistance.

CITY MANAGER SUPPORTING INFORMATION: The San Diego Police Department was selected to receive a grant award entitled "Problem-Oriented Approach to Drug Enforcement." This award was accepted for funding by the Bureau of Justice Assistance, via the administering agency, the Police Executive Research Forum, in February 1988. The grant provides approximately \$191,000 including \$56,000 in cash for equipment and supplies, the remainder in technical expertise, consultation and training. Grant resources include an on-site Field Technical Assistance Coordinator, periodic visits by technical experts in the area of "Problem-Oriented Policing," and three "cluster conferences" designed to provide a forum for the four jurisdictions selected for funding to receive training and share knowledge and experiences. The goals of this program are to apply the concepts of "problem-oriented policing" to drug and associated crime problems at the street level. "Problem-Oriented Policing" encompasses two primary concepts: 1) Identification of the interrelativeness of various crimes and 2) Coordination of law enforcement and community resources in the fight against drugs and related crime.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A329-360.)

CONSENT MOTION BY STRUIKSMA TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-137: (R-88-2147) ADOPTED AS RESOLUTION R-271047

Authorizing the City Auditor and Comptroller to create a new fund entitled "Point Loma Branch Library Fund," with proceeds from sources as specified to be used exclusively to fund capital improvements, including, but not limited to, demolition, site preparation, construction, landscaping, plus the purchase of furniture, fixtures, equipment, supplies and library materials; authorizing the City Auditor and Comptroller to retain in the fund all interest earned from pooled investments.

(Peninsula Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: In 1985 the City of San Diego purchased the property at the corner of Poinsetta and Voltaire Streets for the purpose of building a new Point Loma Branch Library. Design of the proposed 10,000 square foot building was completed in 1987. It is estimated that it will cost \$1,885,000 to complete the project, and no funds have been identified or authorized by the City. As a result, private fund raising activities will be required to construct the new library. This request will establish a trust account in the name of the Point Loma Branch Library Fund to facilitate the process of receiving private gifts for the new building. The proceeds of the fund, plus all earned interest, will be used to fund capital improvements including, but not limited to, demolition, site preparation, construction, landscaping, plus the purchase of furniture, fixtures, equipment, supplies and library materials.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A329-360.)

CONSENT MOTION BY STRUIKSMA TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-138: (R-88-2297) ADOPTED AS RESOLUTION R-271048

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$150,000 from the Fiscal Year 1988 General Fund Unallocated Reserve to the Fiscal Year 1988 General Fund Allocated Reserve for expenditure in Fiscal

Year 1989 on a gang diversion program to be implemented through a Request for Proposals (RFP) process.

CITY MANAGER SUPPORTING INFORMATION: On August 5, 1987 the City Manager recommended to the Public Services and Safety Committee that the City implement a gang diversion program that would focus primarily upon job training and employment for gang members and at-risk youths. It was further recommended that funding in the amount of \$150,000 from the FY 1988 General Fund Unallocated Reserve be used for this purpose. Due to extended discussions with PIC/RETC to elicit their participation and funding support for the project, the detailed concept for the program was not fully developed until April, 1988. On April 20th, the Public Services and Safety Committee approved the program concept and a joint City/PIC/RETC funding proposal. Because the RFP process will not be completed, and the program will not be implemented until July 1 or thereafter, the City Manager is requesting that Council adopt a resolution authorizing the Auditor and Comptroller to transfer the \$150,000 from the FY 1988 General Fund Unallocated Reserve to the FY 1988 General Fund Allocated Reserve for the express purpose of funding the implementation and operation of a gang diversion program in FY 1989. On completion of the RFP process, the City Manager will return to the Council with a request for authorization to execute a contractual agreement and expend the funds.

Aud. Cert. 8800981.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A364-414.)

MOTION BY STRUIKSMA TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-139: (R-88-2260) NOTED AND FILED

Authorizing the transfer of an amount not to exceed \$30,000 from Capital Improvements Project CIP-39-004.0 (Annual Allocation - Right of Way Parcels, Open Space and Other Public Purposes) to Property Department's Revolving Fund (previously established by Resolution R-196505), Fund 30244, Org. 106, Object Account 4639, Job Order 390001, for the purpose of providing additional money for expenditures associated with purchases, sales, and leases of real property for City purposes.

CITY MANAGER SUPPORTING INFORMATION: The Property

Department's Revolving Fund was established in 1969 by Resolution R-196505, for the purpose of providing funds to pay "front-end" costs associated with the purchase, sale or lease of real property. These costs result from services such as title reports, fee appraisals, and advertising. These costs are paid directly from the Revolving Fund and then reimbursed at the time proceeds are received from a sale or lease, or when a project is approved by Council and funds become available. The Revolving Fund's total appropriation is currently \$100,000. Over the years, there has been a substantial increase in the cost as well as in the number of services paid from this fund. Additionally, there is a delay between the time the "front-end" cost is incurred and the final funding is received or appropriated. As a result, the unexpended balance in the Revolving Fund has been averaging under \$10,000. The action requested today will increase the total appropriation to \$130,000 and is needed to insure availability of funds to pay anticipated "front-end" costs.

Aud. Cert. 8800965.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A415-B014.)

Motion by Henderson to adopt. Second by McCarty. No vote taken.

MOTION BY WOLFSHEIMER TO NOTE AND FILE AND TO DEFER THE MATTER TO THE BUDGET PROCESS. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksmay-nay, Henderson-nay, McCarty-nay, Filner-yea, Mayor O'Connor-yea.

* ITEM-140: (R-88-2218) ADOPTED AS RESOLUTION R-271049

Authorizing the City Treasurer to authorize payment by the Paying Agent, Bank of America, N.T. and S.A. to Gibraltar Savings in an amount not to exceed \$76,875 for lost bonds No. 584 through 598, City of San Diego Municipal Improvement Bond, 1966, Series 6, and Coupons No. 29, \$125 each, thereon.

CITY MANAGER SUPPORTING INFORMATION: Bonds number 584 through 598 for \$5,000 each, maturing April 1, 1987, interest rate of 5%, of the City of San Diego Municipal Improvement Bond, 1966, Series 6, with Coupons No. 29 for \$125 each, due April 1, 1987, have been lost, mislaid, or stolen and cannot be found or paid. In order for the paying agent, Bank of America, to make payment for the lost bonds and coupons, the City must authorize approval of the payment. A bond for Securities Lost or Destroyed in the

amount of \$153,750 has been received to indemnify the City of San Diego for possible loss due to making such payments.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A329-360.)

CONSENT MOTION BY STRUIKSMA TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-141: (R-88-2303) ADOPTED AS RESOLUTION R-271050

A Resolution approved by the City Council in Closed Session on Tuesday, April 19, 1988, by the following vote:

Wolfsheimer-yea; Roberts-yea; McColl-not present; Pratt-yea; Struiksma-yea; Henderson-yea; McCarty-yea; Filner-yea; Mayor-yea.

Authorizing the City Manager to pay the total sum of \$90,000 in the settlement of each and every claim against the City, its agents and employees, resulting from the flood damages to the business property of Marvin Gunderson; (Superior Court Case No. 516341, Marvin Morgan Gunderson, et al. v. City of San Diego, et al.); authorizing the City Auditor and Comptroller to issue one check in the amount of \$90,000 made payable to Marvin and Lucille Gunderson, and their attorney, C. Brant Noziska, in full settlement of the lawsuit and all claims.

CITY MANAGER SUPPORTING INFORMATION: This constitutes the complete and final settlement of all claims as a result of a flooding incident which occurred on March 2, 1983 through March 21, 1983.

Aud. Cert. 8800936.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A329-360.)

CONSENT MOTION BY STRUIKSMA TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-142: (R-88-2328) ADOPTED AS RESOLUTION R-271051

A Resolution approved by the City Council in Closed Session on Tuesday, April 19, 1988 by the following vote:

Wolfsheimer-nay; Roberts-yea; McColl-not present; Pratt-yea; Struiksma-yea; Henderson-yea; McCarty-yea; Filner-not present; Mayor-yea.

Authorizing the City Manager to pay the total sum of \$55,000 in the settlement of each and every claim against the City, its agents and employees, resulting from the personal injuries to Ellison D. Smith, (Superior Court Case No. 567988, Ellison Smith v. City of San Diego, et al.); authorizing the City Auditor and Comptroller to issue one check in the amount of \$55,000 made payable to Ellison Smith and his attorney, John Thompson, in full settlement of the lawsuit and all claims.

CITY MANAGER SUPPORTING INFORMATION: This constitutes the complete and final settlement of the personal injury claim of Ellison Smith against the City of San Diego as a result of the incident of April 20, 1986.

Aud. Cert. 8800977.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A329-360.)

CONSENT MOTION BY STRUIKSMA TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-nay, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-143: (R-88-2301) ADOPTED AS RESOLUTION R-271052

Excusing Council Member Abbe Wolfsheimer from attending the Council Meeting of Tuesday, May 10, 1988, due to illness.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A329-360.)

CONSENT MOTION BY STRUIKSMA TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-144: (R-88-1485) ADOPTED AS RESOLUTION R-271053

Approving the second amendment to the Police Department Conflict of Interest Code, originally adopted by Resolution R-218256 dated April 27, 1977, entitled "Designated Positions, Duties and Categories" and "Disclosure Category," respectively, to incorporate and designate those categories.

CITY MANAGER SUPPORTING INFORMATION: Approval of this action will provide for implementation of a second amendment to the Conflict of Interest Code for the Police Department adopted by Resolution R-218156 on April 27, 1977. The overall impact of these changes is to strengthen and clarify reporting

requirements. The amendment places additional reporting requirements on the position of Police Commander as designated on Exhibit A of the code. The additional requirements are in the areas of 1) interest in real property not primarily for personal and recreational use and 2) income from or interest in any firms or entities contracting with, selling, or supplying goods or services to the City. The amendment also combines former reporting categories designated 2 and 4 on Exhibit B of the code into one category now designated category 2. Descriptions of the former categories were virtually identical. The new category 2 description reads "all reportable interests in real property owned or used by any persons, firm or entity that supplies goods or services to the City of San Diego."

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A329-360.)

CONSENT MOTION BY STRUIKSMA TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-145:

Two actions relative to the improvement of Beyer Boulevard:
(Otay Mesa-Nestor Community Area. District-8.)

Subitem-A: (R-88-2332) ADOPTED AS RESOLUTION R-271054

Authorizing the expenditure of an amount not to exceed \$160,000 from Capital Outlay Fund 30245 (CIP-52-110.2) Beyer Boulevard - Route 117 to North City Limits, for the acquisition of property rights and related costs.

Subitem-B: (R-88-2333) ADOPTED AS RESOLUTION R-271056

Certifying that the information contained in Environmental Negative Declaration END-83-0227, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, and that said Declaration has been reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION: This action requests the expenditure of \$160,000 to acquire additional right-of-way, easements and construction workstrips necessary for the improvement of Beyer Boulevard as indicated in CIP-52-110.2. This final phase of the construction project will widen Beyer Boulevard to four-lane major street standards between Route 117 on the south and City limits on the north. It will also provide

for construction of a new bridge over the Otay River. The improvement project when complete, will assure safe and efficient movement of traffic and is consistent with the General Plan and Circulation Element of the Otay Mesa-Nestor Community Plan.

Aud. Cert. 8801000.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A329-360.)

CONSENT MOTION BY STRUIKSMA TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-146: (R-88-2338) ADOPTED AS RESOLUTION R-271057

Authorizing the execution of an agreement with the County of San Diego for the construction of improvements to Farnham Street.

(Serra Mesa Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: This CIP project concerns the improvement of Farnham Street from Overland Drive to a point 850 feet easterly. Currently, a portion of this segment of roadway is improved approximately 25 feet wide without sidewalks on either side of the street. This project will construct the street to its ultimate width of 50 feet with sidewalks, curbs, and gutters. In the Fiscal Year 1988 Capital Improvements Budget, this project was shown to be constructed in FY 1990 with \$58,000 coming from a private source and \$100,000 from City Capital Outlay Funds. The private source was that property fronting the south side of the street. Recently the County of San Diego, which owns the property on the north side of Farnham Street, communicated to the City that they would contribute \$100,000 towards achieving the improvements as soon as possible. This funding would effectively take the place of the aforementioned City funding. The lease holder of the south side property has expressed that they will forward to the City the amount of \$62,000 which should be all that is necessary to complete the project. The subject agreement provides that the County will provide the design necessary for the project, (therefore, they will actually be conveying to the City an amount equal to \$100,000 less their design costs). The City will be responsible for placing it out to bid and providing construction inspection services.

FILE LOCATION: MEET CONT FY88-1

COUNCIL ACTION: (Tape location: A329-360.)

CONSENT MOTION BY STRUIKSMA TO ADOPT. Second by Roberts.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-147: (R-88-2151) ADOPTED AS RESOLUTION R-271058

Authorizing the execution of an agreement with Engineering Alliance, Inc. for design of the Chollas Pump Overhaul Shop; amending the Capital Improvement Program of the Water Revenue Bond Fund (41502) to add CIP-73-295, Chollas Pump Overhaul Shop, in the amount of \$147,000; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$147,000 within the Water Utility Revenue Bond Fund (41502) from the Unallocated Reserve (70679) to the Water Construction Engineering Program (70693); authorizing the expenditure of an amount not to exceed \$134,500 from the Water Utility Revenue Bond Fund and \$134,500 from the Sewer Utility Revenue Fund (41506) for the above project; authorizing the expenditure of an amount not to exceed \$12,500 from the Water Fund Reserve for in-house engineering for the above project.

(Mid-City Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: The existing Water Utilities Machine Shop located at 2797 Caminito Chollas is inadequate in size and lacks necessary equipment. This agreement will provide for the design of a new 20,000 square foot pump overhaul shop at Chollas Operations Station. The proposed facility will include needed equipment and space which will be utilized for the maintenance and repair of water and sewer pumps and other machinery. An advertisement for Engineering Services was placed in the San Diego Daily Transcript on August 14, 1987, and five finalists were interviewed in conformance with Council Policy 300-07. Engineering Alliance, Incorporated was recommended by the Selection Committee. The proposed sub-consultants, their associated tasks and percentage of the prime consultant's tasks are as follows: Phelps Engineering - Industrial - 7 percent; Gem Engineering - Mechanical - 18 percent; Brown & Zammitt Engineering, Inc. - Electrical - 15 percent; Bemet Dainwood Engineering, Inc. - Civil - 2 percent; Woodward-Clyde Consultants - Soils - 9 percent. The proposed action includes the addition of the project to the Capital Improvements Program of the Water Fund. Formerly this project was budgeted solely in the Sewer Fund. Because the function of this facility will

serve both Water and Sewer Utilities programs, the cost is proportionally allocated.

Aud. Cert. 8800956.

WU-U-88-123.

FILE LOCATION: MEET CCONT FY88-1

COUNCIL ACTION: (Tape location: A329-360.)

CONSENT MOTION BY STRUIKSMA TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-148: (R-88-2261) ADOPTED AS RESOLUTION R-271059

Authorizing the execution of a fourth amendment to the Property Management Agreement between the City and the San Diego Housing Authority, to add an 8-unit multifamily project, located at 4080-86 Polk Avenue and 4102-08 41st Street; authorizing the City Manager and Executive Director to add or delete future properties as they are acquired or disposed of by the City.

CITY MANAGER SUPPORTING INFORMATION: On April 1, 1980, a Property Management Agreement was executed between the City and the San Diego Housing Authority that provided for the transfer of management and responsibilities of various City-owned residential units. The agreement has been amended three times to provide for the addition or deletion of units. Currently, there are 30 properties covered under the agreement. The agreement in its present form does not make provision for adding or deleting units under management, thus requiring action by both the Housing Authority and the City Council for each change. It is proposed to amend the agreement again to add eight multifamily units to the agreement and to include a provision that authorizes the City Manager and the Executive Director of the Housing Commission to make future additions or deletions of units, as the need arises. This amendment was approved by the Housing Commission on January 4, 1988 and the Housing Authority on February 16, 1988.

FILE LOCATION: MEET CONT FY88-1

COUNCIL ACTION: (Tape location: A329-360.)

CONSENT MOTION BY STRUIKSMA TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-149: (R-88-2265) ADOPTED AS RESOLUTION R-271060

Authorizing the execution of an agreement with Hendrick and Mock Architects, for professional services required for Standley Community Park - Additional Improvements; authorizing the expenditure of an amount not to exceed \$34,825 from Standley Park Assessment District Fund No. 79150 for the purpose of providing funds for the execution of the above agreement.

(University Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: This action will provide professional services for the design of additional improvements at Standley Community Park which is located on Governor Drive between Regents Road and Genesee Avenue. The project consists of providing improvements at this park using surplus funds from a 1985 assessment district construction contract. The proposed improvements consist of an enlarged parking area, a combination storage shed/snackstand, an approximately 14 ft. x 12 ft. office, upgrading and remote switching for the ballfield lights, upgrading the existing tennis court lighting, enlarging the existing weight room and other minor improvements. The proposed consultant, Hendrick and Mock Architects, was selected in accordance with Council Policy 300-7 from the 1987 short list of architects for jobs requiring fees less than \$25,000. The City Manager received recommendations from the Park and Recreation Department and has selected this consultant for this project. Aud. Cert. 8800966.

FILE LOCATION: MEET CCONT FY88-1

COUNCIL ACTION: (Tape location: A329-360.)

CONSENT MOTION BY STRUIKSMA TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-150: (R-88-2001) ADOPTED AS RESOLUTION R-271061

Authorizing the City Auditor and Comptroller to add CIP-29-658, Skyline Community Park - Lighting to the FY 1988 Capital Improvements Program; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$7,000 from Park Service District Fund 15640 to CIP-29-658, Skyline Community Park - Lighting; authorizing the execution of a first amendment to the agreement with P & D Technologies, for the design of multi-sports field lighting at Skyline Community Park; authorizing the expenditure of an amount not to exceed \$7,000 from CIP-29-658, Skyline Community Park - Lighting, for providing funds for the

execution of the above first amendment to the agreement;
authorizing the City Auditor and Comptroller, upon advice
from the administering department, to transfer excess
budgeted funds, if any, to the appropriate reserves.

(Skyline-Paradise Hills Community Area. District-4.)

CITY MANAGER SUPPORTING INFORMATION: The proposed first amendment to agreement with P & D Technologies will provide the professional services required for the design of multi-sports field lighting at Skyline Community Park. This park is located at 8285 Skyline Drive. The estimated total cost for this project is \$60,000. Grant funding in the amount of \$48,000 has been approved and the additional funding will be from Park Service District Funds. P & D Technologies is currently designing ballfield lighting projects at three other park sites. This first amendment to agreement will allow the design of Skyline Community Park Lighting to be done concurrently with the three other park lighting projects which are presently in the design stage. All four lighting projects will be combined for one construction contract.

Aud. Cert. 8800874.

FILE LOCATION: MEET CCONT FY88-1

COUNCIL ACTION: (Tape location: A329-360.)

CONSENT MOTION BY STRUIKSMA TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-151: (R-88-2264) ADOPTED AS RESOLUTION R-271062

Authorizing the execution of a first amendment to the agreement with POD, Inc. for professional services required for the San Pasqual - BLM Land Improvement Project; authorizing the expenditure of Environmental Growth Funds not to exceed \$16,600 from CIP-20-010.7, Annual Allocation - Resource Based Open Space Parks, for the purpose of providing funds for the above project.

(San Dieguito River Basin Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: The proposed first amendment to agreement with POD, Inc. will provide the professional services required for the design of improvements in open space recreational areas on approximately 2,017 acres of land leased to the City of San Diego by the Federal Bureau of Land Management (BLM). As a condition of the lease, the City of San Diego has five years from April 1985 to prepare a development plan and to fully implement it. The original

agreement with POD, Inc. provided the professional services required for the preparation of a development plan. That development plan is now under BLM review. After BLM approval, the consultant will provide the plans and specifications needed to construct trails, trailheads, lookouts and an off-road staging area.

Aud. Cert. 8800976.

FILE LOCATION: MEET CCONT FY88-1

COUNCIL ACTION: (Tape location: B017-023.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-152: (R-88-2267) ADOPTED AS RESOLUTION R-271063

Authorizing the execution of an agreement with the San Diego Regional Employment and Training Consortium (RETC) to permit the City's Regional Youth Employment Program (REGY) to operate the 1988 Summer Hire-A-Youth Program in the San Diego Metropolitan area during the period of June 1, 1988 through September 30, 1988.

CITY MANAGER SUPPORTING INFORMATION: The City of San Diego has operated a federally-funded summer jobs program for low income youth since 1972, through the Regional Youth Employment Program, REGY. During the past sixteen years, over 50,000 young people between 14-22 years of age have received summer jobs through this program. In January, the City submitted a proposal to the local funding agency, the San Diego Regional Employment and Training Consortium (RETC) to operate the 1988 summer program, now called 'Hire-A-Youth'. On April 4, 1988, the RETC Policy Board approved a contract with the City for \$1,182,480 in federal JTPA funds for the City's 1988 program. This funding level will enable REGY to provide jobs for approximately 1,100 JTPA-eligible youth in the San Diego Metropolitan area. As in past years, the main component of the 1988 summer program will be the subsidized jobs component, with youth placed at over 200 public and community agencies, including many City departments. Also included under the subsidized component will be the fourth year of the STEP (Summer Training and Education) demonstration program, which combines remedial classroom education with summer jobs, and which REGY operates jointly with San Diego City Schools. The private sector component will place up to 150 youths in unsubsidized summer jobs with private sector employers. REGY has had an excellent record in administering

the summer program over the years, and exceeded all contract goals during the 1987 summer program. REGY also recently received a performance incentive award for exemplary performance in its Career Start program for out-of-school youth. Despite severe cuts in administrative funds and staffing for the 1988 summer program, REGY will work to continue this record of successful program operation.

FILE LOCATION: MEET CONT FY88-1

COUNCIL ACTION: (Tape location: A329-360.)

CONSENT MOTION BY STRUIKSMA TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-153: (R-88-2194) ADOPTED AS RESOLUTION R-271064

Authorizing the execution of a Fifth Amendment to the Amended Joint Powers Agreement creating an agency to be known as the Southern California Coastal Water Research Project Authority.

CITY MANAGER SUPPORTING INFORMATION: This is a joint project which began in 1969 to study the interrelationships of treated wastewater discharges and the marine ecology for the purpose of ensuring protection and conservation of marine resources. The study areas have extended from the Mexican border to the Santa Barbara County line. Other participants to this agreement include the City of Los Angeles, County Sanitation District No. 1 of Orange County, County Sanitation District No. 2 of Los Angeles County, and the City of Oxnard. This amendment extends the agreement 1 year to June 30, 1989 and increases the maximum amount due annually from the above signatory agencies from \$700,000 to \$900,000. Each agency will pay its proportionate share based on sewage flows. The amendment also requires the Southern California Coastal Water Research Project Authority to provide annually an additional financial report to the signatory agencies indicating net funds and projecting the funds necessary to maintain and operate the research project for the forthcoming fiscal year.

WU-U-88-134.

FILE LOCATION: MEET CONT FY88-1

COUNCIL ACTION: (Tape location: A329-360.)

CONSENT MOTION BY STRUIKSMA TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-154: (R-88-2208) ADOPTED AS RESOLUTION R-271065

Authorizing the execution of an agreement with Van Dyke and Associates, Inc. to provide consultant services for Phase 3 of the Ocean Boulevard Improvements; authorizing the expenditure of an amount not to exceed \$73,000 from CIP-23-823.2, Ocean Boulevard Improvements, for the above project.

(Pacific Beach Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: In May of 1984, the first half of the Ocean Boulevard Improvements was completed.

This covered the installation of a recreation-pedestrian mall and other park improvements within three blocks on Ocean Boulevard between Diamond Street and Garnet Avenue. To insure improvement consistency, the schematic plans for the southerly remaining three block improvements between Garnet Avenue and Thomas Street were drawn up as one total package by the landscape architectural firm of Van Dyke and Associates, Inc. and approved by the City Council on May 6, 1985. However, due to piecemeal funding, construction of this three block project on Ocean Boulevard will be done in three separate phases. On December 18, 1987, construction of the first phase between Garnet Avenue and Hornblend Street was completed. At present, funds have been allocated to provide improvements in the next block between Hornblend Street and Grand Avenue. As the landscape architectural firm of Van Dyke and Associates, Inc. was engaged to provide the schematic plans, and furthermore, was the consultant for the first phase of the improvements now built, it is in the City's interest to continue with Van Dyke and Associates, Inc. as consultants on a sole source basis as this will provide the needed consistency, expertise and above all, necessary time and cost savings.

Aud. Cert. 8800811 Revised.

FILE LOCATION: MEET CCONT FY88-1

COUNCIL ACTION: (Tape location: A329-360.)

CONSENT MOTION BY STRUIKSMA TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-160: (R-88-2277) ADOPTED AS RESOLUTION R-271066

Resolution of Intention to temporarily close Old Black Mountain Road under the provisions of the Public Streets, Highways, and Service Easements Vacation Law;

fixing a time and place for a public hearing.
(See City Manager Reports CMR-88-194, CMR-88-144,
CMR-88-107, CMR-88-56, CMR-88-26 and Committee
Consultant Analysis TLU-88-9. Penasquitos East
Community Area. District-1.)

COMMITTEE ACTION: Initiated by TLU on 3/14/88.

Recommendation to initiate proceedings and EIR for temporary
closing. The Committee also requested the Planning Director
to incorporate long range solutions into the General Plan.

Districts 1, 2 and 8 voted yea. Districts 4 and 5 not
present.

FILE LOCATION: STRT J-2684

COUNCIL ACTION: (Tape location: D071-270.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts. Passed by
the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not
present, Pratt-yea, Struiksmay-yea, Henderson-yea, McCarty-yea,
Filner-yea, Mayor O'Connor-not present.

ITEM-200: REFERRED TO PLANNING DEPARTMENT

(Continued from the meeting of May 17, 1988, Item 330, at
Council Member Henderson's request, to allow Council Member
Wolfsheimer to be present.)

Appeal of the Committee to Save the Bike Path, by Norma S.
Damashek, from the decision of the Planning Commission in
approving, with modified conditions, Hillside

Review/Resource Protection Overlay Zone Permit

HRP/RPP-87-0698, proposing to construct a 3,200 square foot
single-family residence. The subject property is described
as a portion of Pueblo Lot 1258 of Pueblo Lands of San
Diego, Miscellaneous Map-36 (approximately 0.63 acres), and
is located to the southwest of the Rosemont and Draper
Streets junction, to the west of Avenida Wilfredo, in Zone
R1-40000 (HR Overlay), in the La Jolla Community Plan area.
(HRP/RPP-87-0698. District-1.)

Subitem-A: (R-88-)

Adoption of a Resolution certifying that the information
contained in Environmental Negative Declaration END-87-0698
has been completed in compliance with the California
Environmental Quality Act of 1970 and State guidelines, and
that said declaration has been reviewed and considered by
the Council.

Subitem-B: (R-88-)

Adoption of a Resolution granting or denying the appeal and granting or denying the permit, with appropriate findings to support Council action.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B135-D070.)

Hearing began at 10:53 a.m. and halted at 12:07 p.m.

Testimony in favor by Lucia Forde-Murphy, Ron McLeod, Jeff Barton, Rita O'Neil, G. Murphy, Jeff McCoy, and Norma Damashek.

Testimony in opposition by Charles Christensen and Louis Beecham.

MOTION BY WOLFSHEIMER TO REFER TO THE PLANNING DEPARTMENT AND RETURN TO COUNCIL IN 90 DAYS WITH A FINANCING PLAN. TO DIRECT THE CITY MANAGER TO SEEK WAYS IN WHICH THE CITY MIGHT ACCUMULATE FUNDS THAT MAY BE COLLECTED AS AN ASSESSMENT. TO DIRECT THE CITY ATTORNEY TO ASSIST THE CITY MANAGER IN DETERMINING IF MONIES FROM THE FAYE AVENUE RIGHT-OF-WAY COULD BE USED FOR THIS PROJECT. Second by Struiksma. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-201: CONTINUED TO JUNE 6, 1988

In the matter of:

A Report of the Centre City Planning Committee on the Organizational Structure to Market and Promote Centre City.

(See Report No. 88-173. District-8.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B116-130.)

MOTION BY PRATT TO CONTINUE ONE WEEK, AT THE CITY ATTORNEY'S REQUEST. Second by Henderson. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-202:

Three actions relative to the Nobel Athletic Area - Acquisition and Development:

(University Community Area. District-1.)

Subitem-A: (O-88-200) HEARING HELD

First public hearing in the matter of:

Amending Ordinance O-16916 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the

Fiscal Year 1987-88 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Document No. OO-16916-1, as amended and adopted therein, by adding to the Fiscal Year 1988 Capital Improvements Program a new Capital Improvements Project CIP-29-406.0, entitled "Nobel Athletic Area - Acquisition and Development" and by increasing the Capital Improvements Program by the sum of \$800,000 by allocating to CIP-29-406.0 Park Service Development Fees from funds as follows: \$24,478 from PSD Fund 11481, \$583,053 from PSD Fund 11482, \$181,457 from PSD Fund 11483 and \$11,012 from PSD Fund 13460; directing the Auditor and Comptroller to expend \$800,000 from said PSD Fund (\$24,478 from PSD Fund 11481, \$583,053 from PSD Fund 11482, \$181,457 from PSD Fund 11483 and \$11,012 from PSD Fund 13460) for CIP-29-406.0.

NOTE: The second public hearing for the introduction and adoption of the ordinance will be held on Monday, June 6, 1988.

Subitem-B: (R-88-2254) ADOPTED AS RESOLUTION R-271067

Adoption of a Resolution authorizing the execution of an agreement with Ahmanson Developments, Inc. for the development of a portion of the Nobel Athletic Area; authorizing the expenditure of an amount not to exceed \$800,000 from CIP-29-406.0, Nobel Athletic Area - Acquisition and Development Park Service District Funds, (\$24,478 from PSD Fund 11481, \$583,053 from PSD Fund 11482, \$181,457 from PSD Fund 11483, and \$11,012 from PSD Fund 13460), for the purpose of providing funds for the above agreement.

Subitem-C: (R-88-2255) ADOPTED AS RESOLUTION R-271068

Adoption of a Resolution adopting the findings made with respect to the feasibility of the mitigating measures and project alternatives and the statements of overriding considerations, if any, contained within the Environmental Impact Report for Nobel Athletic Facility and Community Park, EIR-87-1001, pursuant to California Public Resources Code, Section 21081.

CITY MANAGER SUPPORTING INFORMATION: The Nobel Athletic Area is one of the population-based parks identified in the University Community Plan. The undeveloped site is located west of Interstate 805 and south of La Jolla Village Drive and east of the recently approved Village of Five Creeks project. City Council approval of Tentative Map TM-86-0994 and Planned Residential Development Permit PRD-86-0994 requires the

developer of the Village of Five Creeks project to:

1. Deed Lot 19 (1.11 acres) to the City to be used as part of the park.
2. Enter into an agreement with the City for the preparation of a park master plan and for the construction of a portion of the park. The developer's share of the project's costs are not to exceed \$500,000.

The proposed agreement with Ahmanson Developments Inc. provides the park master plan and the construction of a portion of the approximately 28 usable acre park site. The developer will contribute the first \$500,000 worth of development and advance the next \$800,000 in construction costs. The City will reimburse the developer monthly for those costs incurred in excess of \$500,000. The developer's obligation will not exceed \$500,000 and the City's obligation will not exceed \$800,000. The developer will provide the park design services and cause the park to be constructed.

Aud. Cert. 8800899.

FILE LOCATION: SUBITEM-A: --, SUBITEM-B: PERM-PRD-86-0994,
SUBITEM C: MEET CONT FY88-1

COUNCIL ACTION: (Tape location: A329-360.)

MOTION BY STRUIKSMA TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-203: (O-88-192) INTRODUCED AND ADOPTED AS ORDINANCE
O-17103 (New Series)

(Continued from the meeting of May 2, 1988, Item 200, at Council Member Struiksma's request, to allow Assistant City Attorney Fitzpatrick to be present.)

Introduction and adoption of an Ordinance amending Chapter II, Article 7, of the San Diego Municipal Code by adding Section 27.2523 and by amending Sections 27.2501, 27.2525 and 27.2531 relating to the Authority of the City Council to submit to the voters, without a qualifying petition, a proposition for the repeal, amendment or enactment of any legislative act.

(See City Attorney Opinion 88-1.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: E162-425.)

MOTION BY WOLFSHEIMER TO INTRODUCE, DISPENSE WITH THE READING AND ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea,

Struiksmayea, Hendersonnay, McCartyyea, Filneryea, Mayor
O'Connor-not present.

ITEM-204: (R-88-1831) CONTINUED TO JUNE 20, 1988

(Continued from the meeting of May 2, 1988, Item 106, at
Council Member Henderson's request, for further review of
traffic impact.)

Inviting bids for the Construction of Genesee Avenue
Bikeway III between Osler Street and Derrick Drive on Work
Order No. 118694; authorizing the execution of a contract
with the lowest responsible bidder; authorizing the City
Auditor and Comptroller to transfer \$70,250 within Local
Transportation Fund 39005 from CIP-58-053, Black Mountain
Road Bikeway to CIP-58-052, Genesee Avenue Bikeway III;
authorizing the expenditure of funds not to exceed \$220,000
from Local Transportation Fund 39005, CIP-58-052, Genesee
Avenue Bikeway III, for said project and related costs;
authorizing the Auditor and Comptroller, upon advice from
the administering department, to transfer excess budgeted
funds, if any, to the appropriate reserves. (BID-9703)

(Clairemont Mesa Community Area. Districts-5 and 6.)

CITY MANAGER SUPPORTING INFORMATION: This project will
provide an exclusive lane bikeway on Genesee Avenue from Osler
Street on the south to Derrick Drive on the north. Construction
improvements will include modifications of existing median
islands, traffic signals, and removing and restriping existing
traffic lanes and shoulder paving. This project will provide
for the completion of the southern portion of Genesee Avenue
Regional Bikeway which currently extends from North Torrey Pines
Road. This bikeway, when completed, will service Mesa Community
College, a junior high school, and a series of traffic
generators.

Aud. Cert. 8800920.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A100-131.)

MOTION BY McCARTY TO CONTINUE FOR THREE WEEKS AT THE REQUEST OF
THE CITY MANAGER. Second by Henderson. Passed by the following
vote: Wolfsheimeryea, Robertsnot present, McColl-not present,
Prattyea, Struiksmayea, Hendersonyea, McCartyyea,
Filneryea, Mayor O'Connor-not present.

ITEM-205:

(Continued from the meetings of May 2, 1988, Item 201 and
May 16, 1988, Item 201; last continued at Council Member

Struiksma's request, to allow time for staff to review plans with him.)

Three actions relative to the Fire Department Support Services Complex Communications Building:
(Serra Mesa Community Area. District-5.)

19880531

Subitem-A: (R-88-1812 Rev.1) ADOPTED AS AMENDED AS RESOLUTION
R-271076

Inviting bids for the Construction of the Fire Department Communications Building on Work Order No. 118620; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of funds not to exceed \$2,332,040 from Federal Reserve Sharing Fund 18014, CIP-33-069, Fire Department Support Services Complex, for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-9675)

Subitem-B: (R-88-1813) ADOPTED AS RESOLUTION R-271077

Authorizing the use of City Forces to do all the work to make connections and perform operational checks, as required, in connection with the above construction; pursuant to the recommendation of the City Manager and submission of estimates by him indicating that said work can be done by City Forces more economically than if let by contract; declaring that the cost of said work shall not exceed \$9,500.

Subitem-C: (R-88-1814) ADOPTED AS RESOLUTION R-271078

Certifying that the information contained in Environmental Negative Declaration END-87-1051, dated February 17, 1988, issued in connection with the construction of Fire Department Communications Building, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said Declaration has been reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION: Capital Improvements Project CIP-33-069.0 provides for phased development of a Fire Department Support Services Complex at the existing Training/Repair Facility/Fire Station No. 28 site at Kearny Villa Road and Aero Drive. Development of the site will be in

accordance with the master plan approved by the City in March 1986. Council authorized an agreement on September 8, 1986 for design of the first phase -- the two story Communications Building. This structure will contain the new Dispatch Center, offices, and supporting facilities. The communications equipment will be acquired separately and installed upon completion of the building. Eventually, the Department's Dispatch Center in the Operations Building will be moved to the new facility. The Plans and Specifications for the Communications Building are complete and the project is ready to advertise for bids. All necessary clearances and permits for construction have been issued, including the Federal Aviation Administration permit needed because of the project's proximity to Montgomery Field Airport. The future second phase of the Support Services Complex will provide expansion of the existing Repair Facility to allow more efficient servicing of the department's growing fleet of vehicles.

Aud. Cert. 8800885.

FILE LOCATION: W.O. 118620 CONT - EVH, Inc. &
Associates CONFY88-1

COUNCIL ACTION: (Tape location: E436-454.)

MOTION BY McCARTY TO APPROVE WITH THE EXCEPTION OF THE SECURITY FENCE AND REFER THE FENCE TO THE CITY MANAGER FOR FURTHER REVIEW AND REPORT BACK TO COUNCIL. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-206: (R-88-2335) ADOPTED AS RESOLUTION R-271069

Council confirmation of the following appointment and reappointments by the Mayor to serve as members of the Agricultural Board, in categories and for terms as indicated:

(See the memorandum from Mayor O'Connor dated 5/16/88 with resumes attached.)

NAME	CATEGORY	TERM EXPIRES
Leo R. B. Henrikson (Reappointment)	Attorney	January 1, 1989
Margaret L. Smith (Reappointment)	Accountant	January 1, 1990
John E. Vernon (Reappointment)	Soils/Hydraulic Engineer	January 1, 1990
Gretchen G. Colachis (Reappointment)	Real Estate Broker	January 1, 1990

Milton C. Judson Farmer/Dairy Grazing January 1, 1990
(To replace John D. Interests
Allen)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A329-360.)

MOTION BY STRUIKSMA TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-207: (R-88-2336) ADOPTED AS RESOLUTION R-271079

Council confirmation of the following appointments by the Mayor to serve as members of the Centre City Advisory Committee, for terms to begin May 31, 1988 and in categories as indicated:
(See memorandum from Mayor O'Connor dated 5/17/88 with resumes attached.)

Name	Category	Term Expires
Haley L. Hodnett	Architect	May 30, 1990
Cynthia S. Blair	Architect	May 30, 1990
Cecilia Contini	Downtown Interest Group	May 30, 1989
Jose Romulo de la Garza	Downtown Interest Group	May 30, 1990
Ron Oliver	Downtown Interest Group	May 30, 1989
Ernie McCray	Member at Large	May 30, 1989
Barbara Cox	Member at Large	May 30, 1990

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: E454-465.)

MOTION BY ROBERTS TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-208: (R-88-2334) ADOPTED AS RESOLUTION R-271070

Council confirmation of the following appointments by the Mayor to serve as members of the Land Development Advisory Board:
(See the memorandum from Mayor O'Connor dated 5/12/88 with resumes attached.)

NAME	CATEGORY	TERM EXPIRES
Mildred Love	Architect	March 1, 1989

(To replace Edgar Huxley, whose term has expired.)

Robin Shifflet Landscape Architect March 1, 1989

(To replace Dennis
Gillespie, whose
term has expired.)

Carol L. Forrest Civil Engineer/Soils March 1, 1990

(To replace Charles
H. Christian, whose
term has expired.)

Tim Graves Community Planning March 1, 1990

(To replace Judith Group
H. McCarty, whose
term has expired.)

Carol N. Landsman Community Planning March 1, 1990

(To replace Verne Group
Goodwin, whose term
has expired.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A329-360.)

CONSENT MOTION BY STRUIKSMA TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-209: (R-88-2342) ADOPTED AS RESOLUTION R-271071

Authorizing the execution of an agreement with MAAS
Diagnostic Laboratories for providing police initiated
blood drawing services on an as required basis, for law
enforcement purposes, from April 1, 1988 through March 31,
1989, with options for four one-year extensions;
authorizing the City Auditor and Comptroller to expend
funds on an as required basis for the above purpose in an
amount not to exceed \$8,000 from Fund 100, Department 110,
Organization 222, Job Order 4151, during Fiscal Year 1988.

CITY MANAGER SUPPORTING INFORMATION: In the past the City of
San Diego has contracted with local hospitals for the purpose of
blood drawing services for law enforcement purposes. No
hospitals responded to the latest request for proposal
advertised by the Police Department. The Police Department
proposes to continue this needed service by entering into an
agreement for blood drawing services with MAAS Laboratories, the
only respondent to the request for proposal. The term of this
agreement is for one year beginning April 1, 1988 through March
31, 1989, with an option for four one-year extensions. MAAS
Laboratories is fully capable and competent to handle this

contract with two considerations identified by the City Attorney's Office. First, MAAS cannot name the City of San Diego an additional insured as a rider on their insurance policy. The impact of this could result in additional expenses incurred by the City in the event of litigation. Second, the City agrees to limit any claims that may arise against MAAS to those filed in writing within 90 days of the incident giving rise to the claim, unless a third party claim is involved. The City further agrees to limit its claims only to "Direct" damages and to limit MAAS's uninsured liability to the cost of the service rendered which gives rise to the liability. This is more restrictive than usual to the City and may limit the type and amount of damages due the City in case of litigation with MAAS.

Aud. Cert. 8800997.

FILE LOCATION: MEET CONT FY88-1

COUNCIL ACTION: (Tape location: A329-360.)

MOTION BY STRUIKSMA TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-210: (R-88-2101) ADOPTED AS RESOLUTION R-271072

Authorizing the execution of a Grant Agreement with the U.S. Department of Housing and Urban Development (HUD) for 1988 Community Development Block Grant Funds in the amount of \$10,068,000; authorizing the City Manager to submit an Amended Statement of Community Development Objectives and Projected Use of Funds for the 1988 Community Development Block Grant Program.

CITY MANAGER SUPPORTING INFORMATION: At its April 6, 1988 meeting the Public Services and Safety Committee approved the allocation of \$1,098,080 in 1988 CDBG Funds for the following programs:

Logan Heights Family Health Center Construction	\$224,950
Normal Heights Community Development Corporation	3,300
San Ysidro Revitalization	50,000
Mercado Del Barrio	50,000
Golden Hill Improvements (30th and Fern)	50,000
Memorial Recreation Center Expansion	250,000
Small Business Incubator Program	50,000
Social Service Needs Assessment	100,000
Community Service Center for the Disabled	100,000
Social Services	189,830

Robb Field Improvements 30,000

It is now necessary to amend the City's previously submitted required Statement for the 1988 CDBG Program to include new projects and increased funding levels and to execute a Grant Agreement for the funds in order to implement the 1988 CDBG Program.

FILE LOCATION: MEET CONT FY88-1

COUNCIL ACTION: (Tape location: A329-360.)

MOTION BY STRUIKSMA TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-211: (R-88-2308) CONTINUED TO JUNE 20, 1988

Endorsing and approving a one-year extension of the Memorandum of Understanding with Local 127, American Federation of State, County and Municipal Employees, AFL-CIO for Maintenance and Labor, and Skilled Trades and Equipment Operator Units, through June 30, 1990.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A100-131.)

MOTION BY McCARTY TO CONTINUE FOR THREE WEEKS AT THE REQUEST OF THE CITY MANAGER. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-330: (R-88-2006) ADOPTED AS RESOLUTION R-271016

Considering the protests and determining that it is in the public interest to acquire 25.03 acres of Stadium Village for the San Diego Open Space Park Facilities District No. 1, under Resolution of Intention R-270870, adopted May 2, 1988; authorizing the expenditure of not to exceed \$775,000 as payment for said property and related costs from Open Space Park District Bond Fund 79103; authorizing the City Manager to accept the deed to said property without further Council action.

(Serra Mesa Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: At a November 2, 1987 public hearing, Council directed the acquisition of 91.26 acres in Serra Mesa for open space. During that hearing discussion arose on the possibility of acquiring an additional 25 acres in the same area that was being proposed

for development. This additional acreage, referred to as Stadium Village, was subsequently appraised. Further, on December 7, 1987, when approving the sale of a City owned parcel in the Kearny Mesa area, Council directed, by Resolution R-269934, that the approximately \$400,000 City proceeds from this sale should be directed toward the Stadium Village land purchase. Additionally, a reimbursement contribution of \$241,000 is anticipated to be paid to the Open Space Bond Fund by Stonecrest Associates, through their development agreement if it is approved. However, this contribution would in no way obligate the Council in its action on the Stonecrest Associates development proposal. This request is for \$775,000 to purchase these parcels at fair market value plus funds to cover title, escrow, and other miscellaneous costs. Of this amount, approximately \$400,000 will be returned to the Open Space Bond Fund upon close of escrow of the previously mentioned Kearny Mesa parcel.

Aud. Cert. 8800898.

FILE LOCATION: STRT OS-32

COUNCIL ACTION: (Tape location: E150-162.)

Hearing began 2:21 p.m. and halted 2:23 p.m.

MOTION BY HENDERSON TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-331:

Request for a Conditional Use Permit to allow the installation of a 110-foot-high steel tower for microwave transmissions between the Sanyo Corporation's Otay Mesa facility and their facility in Tijuana. The subject property contains 38 acres and is located on Sanyo Avenue between Airway and Otay Mesa Roads (1201 Sanyo Avenue) and is further described as Lot 1, San Diego Business Park, Unit 1, Map-11628, in the Otay Mesa Development District Industrial Zone, in the Otay Mesa Community Plan area. (CUP-88-0257. District-8.)

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Subitem-A: (R-88-2575) ADOPTED AS RESOLUTION R-271080

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-88-0257

has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-88-2576) GRANTED PERMIT ADOPTED AS
RESOLUTION R-271081

Adoption of a Resolution granting or denying the permit with appropriate findings to support Council action.

FILE LOCATION: PERM CUP-88-0257

COUNCIL ACTION: (Tape location: E466-F050, G092-215.)

Hearing began 2:45 p.m. and recessed 2:56 p.m.

Hearing resumed 3:41 p.m. and halted 3:50 p.m.

Public testimony by Alan Foster and Mac Strobl.

MOTION BY FILNER TO APPROVE THE CONDITIONAL USE PERMIT AS PRESENTED BY THE CITY ATTORNEY WITH THE FOLLOWING NEW CONDITION:
17. THE TOWER AUTHORIZED BY THE CUP SHALL BE MODIFIED OR REMOVED AT SANYO'S EXPENSE AND WITHIN 90 DAYS IN THE EVENT THE TOWER OR ITS USE IS DETERMINED BY THE CITY OF SAN DIEGO IN CONSULTATION WITH THE FEDERAL AVIATION ADMINISTRATION OR FEDERAL COMMUNICATIONS COMMISSION TO CONSTITUTE AN OBSTRUCTION OR

HAZARD

TO AIR NAVIGATION OR TO CONSTITUTE AN INTERFERENCE WITH AIRCRAFT NAVIGATION SYSTEMS. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-332: (R-88-2402) ADOPTED AS RESOLUTION R-271082

Matters of reviewing a status report on the administration of the Interim Development Ordinance (IDO) and a proposal to consider establishing a method by resolution to allocate the final six (6) months allocation period for the Interim Development Ordinance. The distribution of 4,000 units to all applicable City-wide communities will be discussed.
(City-wide.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F058-660.)

Hearing began 2:57 p.m. and halted 3:40 p.m.

MOTION BY ROBERTS TO ADOPT A RESOLUTION APPROVING CITY MANAGER'S RECOMMENDATION NO. 1. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-333: (R-88-) CONTINUED TO JUNE 28, 1988, 2:00 P.M.

Matter of the appeal of Thomas and Patricia Tait, by Donald

R. Worley, Attorney, from the decision of the Board of

Zoning Appeals in denying variance C-19809 to maintain:

(1) 37'- 9" of 5' 6" high, solid wood fence, with one open wrought iron gate, 6'- 4" at the highest point, observing a 0'-0" courtyard where a maximum 3'- 9" of 5'- 10" high fence is permitted within the courtyard;

(2) 30'- 9" of 5'- 10" high, solid wood fence, observing a 0'- 0" courtyard where a maximum 3'- 0" high fence is permitted within the courtyard;

(3) 15'- 0" of solid wood fence, ranging in height from 6'-3" to 7'-1", observing a 0'- 0" courtyard at the closest point where a maximum 3'- 0" high fence is permitted within the courtyard; and

(4) 10'- 8" of solid wood fence, ranging from 6'-11" to 7'- 1" in height, located adjacent to an alley (Strandway), where a maximum 6'-0" high fence is permitted.

The subject property is located at 706 Nantasket Court in the R-S Zone in the Mission Beach Community Plan area, and is more particularly described as Lot D, Block 157, Map-1809.

(Case-C-19809. District-6.)

Adoption of a Resolution granting or denying the variance with appropriate findings to support Council action.

FILE LOCATION: ZONE Zoning Appeals Case-C-19809

COUNCIL ACTION: (Tape location: E085-091.)

MOTION BY HENDERSON TO CONTINUE TO JUNE 28, 1988, AT ATTORNEY JAMES DAWE'S REQUEST FOR HIM TO BE PRESENT. Second by Filner.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-not present.

ITEM-334: CONTINUED TO JUNE 6, 1988 2:00 P.M.

1) Proposed Planned Commercial Development Permit PCD-88-0246 which proposes to construct a multi-use development combining 370 attached multi-family residential units with approximately 140,000 square feet of retail center uses, including a Community Center of approximately 3,000 square feet, on a gross site area of 14.0 acres.

2) Proposal to exempt the proposed development from the City's Interim Development Ordinance (IDO) as a

revitalization project.

The subject property is located at the northwest corner of Cleveland Avenue and Richmond Street, south of Washington Street, in the C Zone and within the boundaries of the Uptown Community Plan. The legal description of the site is all of Blocks 186 and 187; portions of Blocks 182 and 183, University Heights, according to amended Map-650; a triangular lot in Pueblo Lot 1117, Pueblo Lands of San Diego, Miscellaneous Map-36; and portions of the following streets to be closed: University Avenue; Vermont Street; Tenth Avenue; and Cleveland Avenue.
(District-2.)

Subitem-A: (R-88-)

Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration EMND-88-0246 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-88-)

Adoption of a Resolution approving or denying the PCD permit with appropriate findings to support Council action.

Subitem-C: (R-88-2325)

Adoption of a Resolution declaring that the former Sears site in the Hillcrest area of San Diego, together with adjacent property, is designated to be a revitalization area for the purpose of the Interim Development Ordinance and the property is, therefore, exempt from the provisions of the IDO.

NOTE: See Item 335 on today's docket for a companion item.

FILE LOCATION: PERM PCD-88-0246

COUNCIL ACTION: (Tape location: E040-080, E426-436.)

MOTION BY ROBERTS TO CONTINUE ITEMS 334, 335, AND S402 TO JUNE 6, 1988, FOR FULL COUNCIL. Second by Struiksmā. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksmā-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-335: CONTINUED TO JUNE 6, 1988

Two actions relative to the vacation of multiple streets, alleys, and a walkway in connection with the Sears Site:

(See City Manager Report CMR-88-267. Uptown Community Area. District-2.)

Subitem-A: (R-88-2310)

Vacating a segment of Tenth Avenue north of University Avenue, Cleveland Avenue between Tenth Avenue and Vermont Street, an excess portion of University between Tenth Avenue and Vermont Street, an excess portion of Vermont Street north of University Avenue, the alley in Block 187 of University Heights, and the walkway adjacent to Blocks 182, 183, 186 and 187 of University Heights.

Subitem-B: (R-88-2311)

Certifying that the information contained in Environmental Mitigated Negative Declaration, EMND-88-0246, issued in conjunction with the redevelopment of the Sears Site, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, that that said report has been reviewed and considered by the Council.

NOTE: See Item 334 on today's docket for a companion item.

FILE LOCATION:

Subitem A STRT J-2683 and DEED F-4470,

Subitem-B STRT J-2683

COUNCIL ACTION: (Tape location: E040-080, E426-436.)

MOTION BY ROBERTS TO CONTINUE ITEMS-334, 335 AND S402 TO JUNE 6, 1988, FOR FULL COUNCIL. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-336:

(Continued from the meetings of February 9, 1988, Item 332

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Subitems D, E and F, and April 19, 1988, Item 335; last continued at Council Member Henderson's request, to allow the Pacific Beach Planning Group to review the request.) Matters of the following accelerated variance requests from the Interim Development Ordinance (IDO):

- a) A variance request from the Interim Development Ordinance (IDO) to construct 4 units (three new, one replacement). The subject property is located at 854 Reed Avenue and is described as Assessor's Parcel No. 423-122-14. The R-1500 zoned site is within the Pacific Beach Community Plan.
Case-87-3026 (Accelerated) (District-6.)
- b) A variance request from the Interim Development Ordinance (IDO) to construct a 4 unit condominium on a 6000 square foot lot (removing a single family dwelling). The subject property is located at 1368 Reed Avenue and is described as Assessor's Parcel No. 423-173-20. The R-1500 zoned site is within the Pacific Beach Community Plan.
Case-87-4007 (Accelerated) (District-6.)
- c) A variance request from the Interim Development Ordinance (IDO) to construct 4 multi-family resident units. The subject property is located at 1531 Missouri Street and is described as Assessor's Parcel No. 416-402-04. The R-1500 zoned site is within the Pacific Beach Community Plan.
Case-87-3044 (Accelerated) (District-6.)

Subitem-A: (R-89-33) ADOPTED AS RESOLUTION R-271083
DENIED VARIANCE

Adoption of a Resolution granting or denying the variance request for Case-87-3026 with appropriate findings to support Council action.

Subitem-B: (R-89-34) ADOPTED AS RESOLUTION R-271084
DENIED VARIANCE

Adoption of a Resolution granting or denying the variance request for Case-87-4007 with appropriate findings to support Council action.

Subitem-C: (R-89-35) ADOPTED AS RESOLUTION R-271085
DENIED VARIANCE

Adoption of a Resolution granting or denying the variance request for Case-87-3044 with appropriate findings to support Council action.

FILE LOCATION:

Subitem-A ZONE IDO Variances Case-87-3026,

Subitem-B ZONE IDO Variances Case-87-4007,

Subitem-C ZONE IDO Variances Case-87-3044.

COUNCIL ACTION: (Tape location: G220-382.)

Hearing began 3:51 p.m. and halted 4:02 p.m.

Testimony in favor of the variance request for Case-87-3044 by Harvey Ransum.

MOTION BY HENDERSON TO DENY THE VARIANCE REQUEST FOR SUBITEM-A, CASE-87-3026. Second by Filner. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksmayea, Henderson-yea, Filner-yea, Mayor O'Connor-not present.

MOTION BY HENDERSON TO DENY THE VARIANCE FOR SUBITEM-B, CASE-87-4007. Second by Roberts. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-not present, Struiksmayea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

MOTION BY HENDERSON TO DENY THE VARIANCE FOR SUBITEM-C, CASE-87-3044. Second by Wolfsheimer. Passed by the following

vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-not present, Struiksmayea, Henderson-yea, McCarty-yea, Filner-nay, Mayor O'Connor-not present.

ITEM-337:

Matters of the following variance requests from the Interim Development Ordinance (IDO):

- a) A variance request from the Interim Development Ordinance (IDO) to construct a 2-unit project (includes proposed units and any existing units to remain). The subject property is located at Morava Place north of Huxley Street and is described as Lots 22, 23, 24, and 25, Block 116, Morena Map-809. The R1-5000 zoned site is in the Clairemont Mesa Community Plan area.
(Case-88-4105 Accelerated). (District-6.)
- b) A variance request from the Interim Development Ordinance (IDO) to construct a 34 unit project (includes proposed units and any existing units to remain). The subject property is located at 3620-30-34 Third Avenue and is described as Lots 15, 16, and 17 in Block 10 of Brookes Addition, Map-596. The R-600 zoned site is in the Uptown Community Plan area.
(Case-87-4024 Non-accelerated). (District-8.)
(Case-88-4105 (

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Subitem A) was reviewed by the Clairemont Mesa

Planning Committee on April 19, 1988. Recommendation was approval by unanimous vote.)

(Case-87-4024 (

Subitem B) was reviewed by the Uptown Community Planners group on April 5, 1988. Recommendation was approval by a vote of 9 to 6, no abstentions.)

Subitem-A: (R-89-36) ADOPTED AS RESOLUTION R-271086
GRANTED VARIANCE

Adoption of a Resolution granting or denying the variance request for Case-88-4105 with appropriate findings to support Council action.

Subitem-B: (R-88-) CONTINUED TO JUNE 28, 1988, 2:00 P.M.

Adoption of a Resolution granting or denying the variance request for Case-87-4024 with appropriate findings to support Council action.

FILE LOCATION:

Subitem-A ZONE IDO Variances Case-88-4105,

Subitem-B ZONE IDO Variances Case-87-4024

COUNCIL ACTION: (Tape location: E079-089, G389-524.)

Hearing began 4:02 p.m. and halted 4:10 p.m.

Mayor O'Connor entered 4:06 p.m.

Testimony in favor of granting the variance for Case-88-4105 by James Morrison.

MOTION BY FILNER TO CONTINUE SUBITEM-B, THE VARIANCE REQUEST FOR CASE-87-4024, TO JUNE 28, 1988, 2:00 P.M., AT THE REQUEST OF THE APPLICANT FOR FURTHER REVIEW. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksmay-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-not present.

MOTION BY HENDERSON TO ADOPT A RESOLUTION FOR SUBITEM-A GRANTING

THE VARIANCE FOR CASE-88-4105. Second by Struiksmay. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-not present, Struiksmay-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S400: (R-88-2136) ADOPTED AS RESOLUTION R-271073

Authorizing the City Manager to expend up to \$377,300 from Special Fund 10132, as such funds become available within the 25 percent of the funds received from Seized

and Forfeited Assets, authorized by Resolution R-265827, adopted on May 27, 1986, for the costs of implementing the Drug Abuse Resistance Education (DARE) and Police Activities League (PAL) programs as detailed in City Manager Report CMR-88-85, issued on January 29, 1988. (City Manager Report CMR-88-85 and Committee Consultant Analysis PSS-88-3.)

COMMITTEE ACTION: Reviewed by PSS on 2/3/88. Recommendation to approve the City Manager's recommendation. Districts 2, 4, 6 and 7 voted yea. District 3 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B024-116.)

MOTION BY FILNER TO ADOPT AND TO REFER TO THE COMMITTEE OF THE WHOLE ON TUESDAY, JUNE 7, 1988, THE MATTER OF EXPANSION OF THE DARE PROGRAM TO REACH STUDENTS IN THE NORTHERN AND SOUTHERN PARTS OF THE CITY THAT ARE NOT WITHIN THE SAN DIEGO UNIFIED SCHOOL DISTRICT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-S401: (R-88-2356) ADOPTED AS RESOLUTION R-271074

Directing the Director of Intergovernmental Relations to notify members of Congress of:

1. The City's support for the House FY 1989 federal budget committee proposal which maintains the current level of expenditures for priority municipal programs;
2. The City's opposition to increasing the number of unfunded mandates by the federal government; and
3. The City's opposition to increased federal taxes on municipal government.

(See Intergovernmental Relations Department Report IRD-88-15.)

COMMITTEE ACTION: Reviewed by RULES on 5/4/88. Recommendation to amend the recommendation in Intergovernmental Relations Department Report IRD-88-15 as stated above. Districts 1, 3, 7 and Mayor voted yea. District 2 not present.

IRD DIRECTOR SUPPORTING INFORMATION: At the meeting of May 4, 1988, the Rules committee voted 4-0 (Council Member Roberts not present) to amend the recommendation in IRD Report IRD-88-15 to read:

Authorize IRD to notify the appropriate members of Congress of:

- The City's support of the House FY 1989 budget committee proposal which maintains the current level of expenditures for

- priority municipal programs;
- The City's opposition to increasing the number of federal unfunded mandates;
 - The City's opposition to increased federal taxes on municipal government, such as the fuel excise tax.

Concerns were expressed by the Committee that some might construe the wording of the original recommendation to mean that the City is opposed to a balanced federal budget. Staff explained that the intent of that recommendation had been to oppose the trend of reducing federal investment in cities, which results in severe reduction or elimination of domestic programs. This has allowed for budget balancing, but it has been at the expense of our municipal programs and reductions have not been taken in other programs. The House budget committee proposal for FY 1989 basically freezes priority municipal programs at their FY 1989 budget level thus slowing the trend of disinvestment in the nation's cities. The Committee discussion indicated that support of the House proposal would be a more positive statement of the City's position.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A329-360.)

CONSENT MOTION BY STRUIKSMA TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S402: CONTINUED TO JUNE 6, 1988, 2:00 P.M.

Two actions relative to the agreement to acquire and develop property with Sears Partnership:
(See City Manager Report CMR-88-289. Uptown Community Area. District-2.)

Subitem-A: (R-88-2313 Rev.1)

Authorizing the execution of an Agreement to Acquire and Develop Property with Oliver McMillan/Odmark Partnership, covering the approximately 12.660-acre parcel of property at 1290 Cleveland Avenue, known as the "Sears site," pursuant to which agreement the purchaser shall pay \$10.560 million, less an amount not to exceed \$250,000 for actual costs incurred for removal of hazardous wastes, and pursuant to which the purchaser shall construct a Planned Commercial Development and Residential Development; authorizing the execution of a grant deed, conveying to Oliver McMillan/Odmark Partnership (or its nominee) all of

the above mentioned Sears site.

Subitem-B: (R-88-2314)

Certifying that the information contained in Environmental Mitigated Negative Declaration EMND-88-0246, issued in connection with the "Sears site," has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, and that said Declaration has been reviewed and considered by the Council.

NOTE: See Item 334 (PCD Permit PCD-88-0246) and Item 335 (10th Avenue Street Vacation) on the regular docket of May 31, 1988 for companion items.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: E040-080, E426-436.)

MOTION BY ROBERTS TO CONTINUE ITEMS-334, 335, AND S402 TO JUNE 6, 1988, 2:00 P.M. FOR FULL COUNCIL. Second by Struiksma.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

NON-DOCKET ITEMS:

None.

PUBLIC COMMENT:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor O'Connor at 4:12 p.m. in memory of Mr. Raymond H. Cossey.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: G529).